



General Assembly

## ***Amendment***

***January Session, 2013***

**LCO No. 8352**

**\*SB0116408352SD0\***

Offered by:

SEN. COLEMAN, 2<sup>nd</sup> Dist.

SEN. DOYLE, 9<sup>th</sup> Dist.

SEN. MEYER, 12<sup>th</sup> Dist.

SEN. GERRATANA, 6<sup>th</sup> Dist.

SEN. BYE, 5<sup>th</sup> Dist.

SEN. MUSTO, 22<sup>nd</sup> Dist.

REP. FOX, 146<sup>th</sup> Dist.

To: Subst. Senate Bill No. **1164**

File No. 707

Cal. No. 537

### ***"AN ACT CONCERNING REVISIONS TO STATUTES CONCERNING HUMAN RIGHTS AND OPPORTUNITIES."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 1-1f of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective July 1, 2013*):

5 For purposes of sections 3-10e, 4a-60, subdivision (12) of section 38a-  
6 816, [and sections 46a-58, 46a-60, 46a-64, 46a-70 to 46a-73, inclusive,  
7 46a-75, 46a-76 and] section 52-175a and chapter 814c:

8 (a) An individual is blind if [his] such individual's central visual  
9 acuity does not exceed 20/200 in the better eye with correcting lenses,  
10 or if [his] such individual's visual acuity is greater than 20/200 but is  
11 accompanied by a limitation in the fields of vision such that the widest  
12 diameter of the visual field subtends an angle no greater than twenty

13 degrees;

14 (b) An individual is physically disabled or has a physical disability,  
15 as defined in section 46a-51, as amended by this act, if [he] such  
16 individual has any chronic physical [handicap] disability, infirmity or  
17 impairment, whether congenital or resulting from bodily injury,  
18 organic processes or changes or from illness, including, but not limited  
19 to, blindness, epilepsy, deafness or hearing impairment or reliance on a  
20 wheelchair or other remedial appliance or device.

21 Sec. 2. Section 46a-51 of the general statutes is repealed and the  
22 following is substituted in lieu thereof (*Effective July 1, 2013*):

23 As used in section [4a-60a] 4a-60, as amended by this act, section 53-  
24 37, as amended by this act, section 9 of this act and this chapter:

25 (1) "Application for credit" means any communication, oral or  
26 written, by a person to a creditor requesting an extension of credit to  
27 that person or to any other person, and includes any procedure  
28 involving the renewal or alteration of credit privileges or the changing  
29 of the name of the person to whom credit is extended;

30 [(1)] (2) "Blind" refers to an individual whose central visual acuity  
31 does not exceed 20/200 in the better eye with correcting lenses, or  
32 whose visual acuity is greater than 20/200 but is accompanied by a  
33 limitation in the fields of vision such that the widest diameter of the  
34 visual field subtends an angle no greater than twenty degrees;

35 (3) "Board of commissioners" means the commissioners of the  
36 Commission on Human Rights and Opportunities appointed pursuant  
37 to section 46a-52, as amended by this act, acting as a body;

38 [(2)] (4) "Commission" means, unless the context clearly indicates a  
39 different meaning or intent, the professional staff of the Commission  
40 on Human Rights and Opportunities [created by section 46a-52]  
41 including the executive director or the executive director's designee

42 lawfully exercising the powers and duties ascribed to the commission;

43 [(3)] (5) "Commission legal counsel" means [a member of the legal  
44 staff employed by] a member of the professional staff of the  
45 commission [pursuant to section 46a-54] whose position requires  
46 admittance to practice law in the state of Connecticut;

47 [(4)] (6) "Commissioner" means [a] an individual member of the  
48 [commission] board of commissioners;

49 (7) "Complainant" means any person, whether acting on his or her  
50 own behalf or through an attorney, who files a complaint pursuant to  
51 section 46a-82, as amended by this act;

52 [(5)] (8) "Court" means the Superior Court or any judge of said  
53 court;

54 (9) "Covered multifamily dwellings" means buildings consisting of  
55 four or more units if such buildings have one or more elevators, and  
56 ground floor units in other buildings consisting of four or more units;

57 (10) "Credit" means the right granted by a creditor to a person to  
58 defer payment of debt or to incur debt and defer its payment, or  
59 purchase property or services and defer payment therefor, including,  
60 but not limited to, the right to incur and defer debt which is secured by  
61 residential real property;

62 (11) "Credit sale" means any transaction with respect to which credit  
63 is granted;

64 (12) "Credit transaction" means any invitation to apply for credit,  
65 application for credit, extension of credit or credit sale;

66 (13) "Creditor" means any person who regularly extends or arranges  
67 for the extension of credit for which the payment of a finance charge or  
68 interest is required whether in connection with loans, sale of property  
69 or services or otherwise;

70        [(6)] (14) "Discrimination" includes segregation and separation;

71        (15) "Discrimination because of religion" includes, but is not limited  
72 to, discrimination related to all aspects of religious observances and  
73 practice as well as belief, unless, in the context of an employer-  
74 employee relationship, an employer demonstrates that the employer is  
75 unable to reasonably accommodate to an employee's or prospective  
76 employee's religious observance or practice without undue hardship  
77 on the conduct of the employer's business;

78        (16) "Discrimination because of sex" includes, but is not limited to,  
79 discrimination related to pregnancy, child-bearing capacity,  
80 sterilization, fertility or related medical conditions;

81        [(7)] (17) "Discriminatory employment practice" means any  
82 discriminatory practice specified in section 46a-60, as amended by this  
83 act, or [46a-81c] section 9 of this act;

84        (18) "Discriminatory housing practice" means any discriminatory  
85 practice specified in section 46a-64c, as amended by this act;

86        [(8)] (19) "Discriminatory practice" means a violation of any  
87 requirement established by the commission pursuant to subdivisions  
88 (13) to (16), inclusive, of section 46a-54, as amended by this act, or a  
89 violation of section 4a-60, as amended by this act, [4a-60a,] 4a-60g, as  
90 amended by this act, 46a-58, as amended by this act, 46a-59, as  
91 amended by this act, 46a-60, as amended by this act, 46a-64, as  
92 amended by this act, 46a-64c, as amended by this act, 46a-66, as  
93 amended by this act, 46a-68, as amended by this act, 46a-68c to 46a-68f,  
94 inclusive, or 46a-70 to 46a-78, inclusive, as amended by this act, or  
95 subsection (a) of section 46a-80 or [sections 46a-81b to 46a-81o,  
96 inclusive] section 9 of this act;

97        (20) "Dwelling" means any building, structure, mobile  
98 manufactured home park or portion thereof that is occupied as, or  
99 designed or intended for occupancy as, a residence by one or more

100 families, and any vacant land that is offered for sale or lease for the  
101 construction or location thereon of any such building, structure,  
102 mobile manufactured home park or portion thereof;

103 ~~[(9)]~~ (21) "Employee" means any person employed by an employer  
104 but shall not include any individual employed by such individual's  
105 parents, spouse or child, or in the domestic service of any person;

106 ~~[(10)]~~ (22) "Employer" includes the state and all political  
107 subdivisions thereof and means any person or employer with three or  
108 more persons in such person's or employer's employ;

109 ~~[(11)]~~ (23) "Employment agency" means any person undertaking  
110 with or without compensation to procure employees or opportunities  
111 to work;

112 (24) "Extension of credit" means all acts incident to the evaluation of  
113 an application for credit and the granting of credit;

114 (25) "Fair Housing Act" means Title VIII of the Civil Rights Act of  
115 1968, as amended, and known as the federal Fair Housing Act (42 USC  
116 3600-3619);

117 (26) "Familial status" means (A) one or more individuals who have  
118 not attained the age of eighteen years being domiciled with (i) a parent  
119 or another person having legal custody of such individual or  
120 individuals, or (ii) the designee of such parent or other person having  
121 such custody with the written permission of such parent or other  
122 person; or (B) any individual who is pregnant or is in the process of  
123 securing legal custody of any individual who has not attained the age  
124 of eighteen years;

125 (27) "Family" includes a single individual;

126 (28) "Gender identity or expression" means an individual's gender-  
127 related identity, appearance or behavior, whether or not that gender-

128 related identity, appearance or behavior is different from that  
129 traditionally associated with the individual's physiology or assigned  
130 sex at birth, which gender-related identity can be shown by providing  
131 evidence including, but not limited to, medical history, care or  
132 treatment of the gender-related identity, consistent and uniform  
133 assertion of the gender-related identity or any other evidence that the  
134 gender-related identity is sincerely held, part of an individual's core  
135 identity or not being asserted for an improper purpose;

136 (29) "Housing for older persons" means housing (A) provided under  
137 any state or federal program that the Secretary of the United States  
138 Department of Housing and Urban Development determines is  
139 specifically designed and operated to assist elderly persons as defined  
140 in the state or federal program; (B) intended for, and solely occupied  
141 by, persons sixty-two years of age or older; or (C) intended and  
142 operated for occupancy by at least one person fifty-five years of age or  
143 older per unit in accordance with the standards set forth in the Fair  
144 Housing Act and regulations developed pursuant thereto by the  
145 Secretary of the United States Department of Housing and Urban  
146 Development;

147 (30) "Intellectual disability" means intellectual disability as defined  
148 in section 1-1g, as amended by this act;

149 (31) "Invitation to apply for credit" means any communication, oral  
150 or written, by a creditor that encourages or prompts an application for  
151 credit;

152 [(12)] (32) "Labor organization" means any organization which exists  
153 for the purpose, in whole or in part, of collective bargaining or of  
154 dealing with employers concerning grievances, terms or conditions of  
155 employment, or of other mutual aid or protection in connection with  
156 employment;

157 [(13) "Intellectual disability" means intellectual disability as defined

158 in section 1-1g;]

159 (33) "Lawful source of income" means income derived from Social  
160 Security, supplemental security income, housing assistance, child  
161 support, alimony or public or state-administered general assistance;

162 (34) "Learning disability" means a severe discrepancy between  
163 educational performance and measured intellectual ability and a  
164 disorder in one or more of the basic psychological processes involved  
165 in understanding or in using language, spoken or written, which may  
166 manifest itself in a diminished ability to listen, speak, read, write, spell  
167 or do mathematical calculations;

168 (35) "Marital status" means being single, married as recognized by  
169 the state, widowed, separated or divorced;

170 (36) "Mental disability" means having, a record of having or being  
171 regarded as having one or more mental disorders, as defined in the  
172 most recent edition of the American Psychiatric Association's  
173 "Diagnostic and Statistical Manual of Mental Disorders";

174 (37) "Minority business enterprise" means any contractor,  
175 subcontractor or supplier of materials, fifty-one per cent or more of the  
176 capital stock, if any, or assets of which is owned by a person or persons  
177 who: (A) Are active in the daily affairs of the enterprise; (B) have the  
178 power to direct the management and policies of the enterprise; and (C)  
179 are members of a minority, as defined in subsection (a) of section 32-  
180 9n;

181 (38) "Mobile manufactured home park" means a plot of land upon  
182 which two or more mobile manufactured homes occupied for  
183 residential purposes are located;

184 [(14)] (39) "Person" means one or more individuals, partnerships,  
185 associations, corporations, limited liability companies, legal  
186 representatives, trustees, trustees in bankruptcy, receivers and the state

187 and all political subdivisions and agencies thereof;

188 (40) "Person claiming to be aggrieved" means any person who  
189 claims to have been injured by a discriminatory practice;

190 [(15) "Physically disabled" refers to] (41) "Physical disability" means  
191 any [individual who has any] chronic physical [handicap] disability,  
192 infirmity or impairment, whether congenital or resulting from bodily  
193 injury, organic processes or changes or from illness, including, but not  
194 limited to, blindness, epilepsy, deafness or hearing impairment or  
195 reliance on a wheelchair or other remedial appliance or device;

196 (42) "Public accommodation, resort or amusement" means any  
197 establishment that offers its services, facilities or goods to the general  
198 public, including, but not limited to, any commercial property or  
199 building lot on which it is intended that a commercial building will be  
200 constructed or offered for sale or rent;

201 (43) "Reasonable cause" means a bona fide belief that the material  
202 issues of fact are such that a person of ordinary caution, prudence and  
203 judgment could believe the facts alleged in the complaint;

204 (44) "Referee" means a human rights referee appointed pursuant to  
205 section 46a-57, as amended by this act;

206 (45) "Residential-real-estate-related transaction" means (A) the  
207 making or purchasing of loans or providing other financial assistance  
208 for purchasing, constructing, improving, repairing or maintaining a  
209 dwelling, or secured by residential real estate; or (B) the selling,  
210 brokering or appraising of residential real property;

211 [(16)] (46) "Respondent" means any person, whether acting on his or  
212 her own behalf or through an attorney, alleged in a complaint filed  
213 pursuant to section 46a-82, as amended by this act, to have committed  
214 a discriminatory practice;



215 [(17) "Discrimination on the basis of sex" includes but is not limited  
216 to discrimination related to pregnancy, child-bearing capacity,  
217 sterilization, fertility or related medical conditions;

218 (18) "Discrimination on the basis of religious creed" includes but is  
219 not limited to discrimination related to all aspects of religious  
220 observances and practice as well as belief, unless an employer  
221 demonstrates that the employer is unable to reasonably accommodate  
222 to an employee's or prospective employee's religious observance or  
223 practice without undue hardship on the conduct of the employer's  
224 business;

225 (19) "Learning disability" refers to an individual who exhibits a  
226 severe discrepancy between educational performance and measured  
227 intellectual ability and who exhibits a disorder in one or more of the  
228 basic psychological processes involved in understanding or in using  
229 language, spoken or written, which may manifest itself in a diminished  
230 ability to listen, speak, read, write, spell or to do mathematical  
231 calculations;

232 (20) "Mental disability" refers to an individual who has a record of,  
233 or is regarded as having one or more mental disorders, as defined in  
234 the most recent edition of the American Psychiatric Association's  
235 "Diagnostic and Statistical Manual of Mental Disorders"; and

236 (21) "Gender identity or expression" means a person's gender-  
237 related identity, appearance or behavior, whether or not that gender-  
238 related identity, appearance or behavior is different from that  
239 traditionally associated with the person's physiology or assigned sex at  
240 birth, which gender-related identity can be shown by providing  
241 evidence including, but not limited to, medical history, care or  
242 treatment of the gender-related identity, consistent and uniform  
243 assertion of the gender-related identity or any other evidence that the  
244 gender-related identity is sincerely held, part of a person's core  
245 identity or not being asserted for an improper purpose.]

246       (47) "Sexual orientation" means heterosexuality, homosexuality or  
247       bisexuality, or having a history of or being identified as such; and

248       (48) "To rent" includes to lease, to sublease, to let and to otherwise  
249       grant for a consideration the right to occupy premises not owned by  
250       the occupant.

251       Sec. 3. Section 46a-52 of the general statutes is repealed and the  
252       following is substituted in lieu thereof (*Effective July 1, 2013*):

253       (a) The [commission] board of commissioners of the Commission on  
254       Human Rights and Opportunities shall consist of nine persons. On and  
255       after October 1, 2000, such persons shall be appointed with the advice  
256       and consent of both houses of the General Assembly. (1) On or before  
257       July 15, 1990, the Governor shall appoint five members of the  
258       [commission] board of commissioners, three of whom shall serve for  
259       terms of five years and two of whom shall serve for terms of three  
260       years. Upon the expiration of such terms, and thereafter, the Governor  
261       shall appoint either two or three members, as appropriate, to serve for  
262       terms of five years. On or before July 14, 1990, the president pro  
263       tempore of the Senate, the minority leader of the Senate, the speaker of  
264       the House of Representatives and the minority leader of the House of  
265       Representatives shall each appoint one member to serve for a term of  
266       three years. Upon the expiration of such terms, and thereafter,  
267       [members] commissioners so appointed shall serve for terms of three  
268       years. (2) If any vacancy occurs, the appointing authority making the  
269       initial appointment shall appoint a person to serve for the remainder of  
270       the unexpired term. The Governor shall select one of the [members of  
271       the commission] commissioners to serve as chairperson of the board of  
272       commissioners for a term of one year. The [commission] board of  
273       commissioners shall meet at least once during each two-month period  
274       and at such other times as the chairperson deems necessary. Special  
275       meetings shall be held on the request of a majority of the [members of  
276       the commission] board of commissioners after notice in accordance  
277       with the provisions of section 1-225.

278 (b) [Except as provided in section 46a-57, the members of the  
279 commission] The commissioners shall serve without pay, but their  
280 reasonable expenses, including educational training expenses and  
281 expenses for necessary stenographic and clerical help, shall be paid by  
282 the state upon approval of the Commissioner of Administrative  
283 Services. Not later than two months after appointment to the  
284 [commission] board of commissioners, each [member of the  
285 commission] commissioner shall receive a minimum of ten hours of  
286 introductory training prior to voting on any [commission] matter  
287 before the board of commissioners. Each year following such  
288 introductory training, each [member] commissioner shall receive five  
289 hours of follow-up training. Such introductory and follow-up training  
290 shall consist of instruction on the laws governing discrimination in  
291 employment, housing, public accommodation and credit, affirmative  
292 action and the procedures of the commission. Such training shall be  
293 organized by the [managing director] supervising attorney of the legal  
294 division of the commission. Any [member] commissioner who fails to  
295 complete such training shall not vote on any [commission] matter  
296 before the board of commissioners. Any [member] commissioner who  
297 fails to comply with such introductory training requirement within six  
298 months of appointment shall be deemed to have resigned from office.  
299 Any [member] commissioner who fails to attend three consecutive  
300 meetings or who fails to attend fifty per cent of all meetings held  
301 during any calendar year shall be deemed to have resigned from office.

302 (c) [On or before July 15, 1989, the commission] The board of  
303 commissioners shall appoint an executive director who shall be the  
304 chief executive officer of the Commission on Human Rights and  
305 Opportunities to serve for a term [expiring on July 14, 1990. Upon the  
306 expiration of such term and thereafter, the executive director shall be  
307 appointed for a term] of four years. The executive director shall be  
308 supervised and annually evaluated by the [commission] board of  
309 commissioners. The executive director shall serve at the pleasure of the  
310 [commission] board of commissioners but no longer than four years

311 from July fifteenth in the year of his or her appointment unless  
312 reappointed pursuant to the provisions of this subsection. The  
313 executive director shall receive an annual salary within the salary  
314 range of a salary group established by the Commissioner of  
315 Administrative Services for the position. The executive director shall  
316 (1) [shall] conduct comprehensive planning with respect to the  
317 functions of the commission; (2) [shall] coordinate the activities of the  
318 commission; and (3) [shall] cause the administrative organization of  
319 the commission to be examined with a view to promoting economy  
320 and efficiency. In accordance with established procedures, the  
321 executive director may enter into such contractual agreements as may  
322 be necessary for the discharge of the director's duties.

323 (d) The executive director may appoint no more than two deputy  
324 directors with the approval of a majority of the [members of the  
325 commission] board of commissioners. The deputy directors shall be  
326 supervised by the executive director and shall assist the executive  
327 director in the administration of the commission, the effectuation of its  
328 statutory responsibilities and such other duties as may be assigned by  
329 the executive director. Deputy directors shall serve at the pleasure of  
330 the executive director and without tenure. The executive director may  
331 remove a deputy director with the approval of a majority of the  
332 [members of the commission] board of commissioners.

333 (e) The commission shall be within the Labor Department for  
334 administrative purposes only.

335 Sec. 4. Section 46a-54 of the general statutes is repealed and the  
336 following is substituted in lieu thereof (*Effective July 1, 2013*):

337 The commission shall have the following powers and duties:

338 (1) To establish and maintain such offices as the commission may  
339 deem necessary;

340 (2) To organize the commission into a division of affirmative action

341 monitoring and contract compliance, a division of discriminatory  
342 practice complaints, a housing discrimination unit, a legal division and  
343 such other divisions, bureaus or units as may be necessary for the  
344 efficient conduct of business; [of the commission;]

345 (3) To employ legal staff and commission legal counsel as necessary  
346 to perform the duties and responsibilities under [section 46a-55] this  
347 chapter. All commission legal counsel shall be part of the legal division  
348 except those commission legal counsel who supervise contracts with  
349 the federal Department of Housing and Urban Development. One  
350 commission legal counsel shall serve as supervising attorney [. Each  
351 commission legal counsel shall be admitted to practice law in this  
352 state] of the legal division;

353 (4) To appoint such investigators and other employees and agents as  
354 it deems necessary, fix their compensation within the limitations  
355 provided by law and prescribe their duties;

356 (5) To adopt, publish, amend and rescind regulations, in  
357 consultation with the board of commissioners, consistent with and to  
358 effectuate the provisions of this chapter;

359 (6) To establish rules of practice to govern, expedite and effectuate  
360 the procedures set forth in this chapter;

361 (7) To recommend policies and make recommendations to agencies  
362 and officers of the state and local subdivisions of government to  
363 effectuate the policies of this chapter;

364 (8) To receive, initiate as provided in section 46a-82, as amended by  
365 this act, investigate and mediate discriminatory practice complaints;

366 (9) By itself or [with or by hearing officers or human rights referees]  
367 by presiding officers, to hold hearings, subpoena witnesses and  
368 compel their attendance, administer oaths, take the testimony of any  
369 person under oath and require the production for examination of any

370 books and papers relating to any matter under investigation or in  
371 question;

372 (10) To make rules as to the procedure for the issuance of subpoenas  
373 by individual commissioners [, hearing officers and human rights  
374 referees] and presiding officers;

375 (11) To require written answers to interrogatories under oath  
376 relating to any complaint under investigation pursuant to this chapter  
377 alleging any discriminatory practice, [as defined in subdivision (8) of  
378 section 46a-51,] and to adopt regulations, in accordance with the  
379 provisions of chapter 54, for the procedure for the issuance of  
380 interrogatories and compliance with interrogatory requests;

381 (12) To [utilize such] accept voluntary and uncompensated services  
382 [of] from private individuals, agencies and organizations; [as may  
383 from time to time be offered and needed and with the cooperation of  
384 such agencies, (A) to study the problems of discrimination in all or  
385 specific fields of human relationships, and (B) to foster through  
386 education and community effort or otherwise good will among the  
387 groups and elements of the population of the state;]

388 (13) To require the posting by an employer, employment agency or  
389 labor organization of such notices regarding statutory provisions as  
390 the commission shall provide;

391 (14) To require the posting, by any respondent or other person  
392 subject to the requirements of section 46a-64, as amended by this act,  
393 or 46a-64c, as amended by this act, [46a-81d or 46a-81e,] of such notices  
394 of statutory provisions as it deems desirable;

395 (15) (A) To require an employer having three or more employees to  
396 post in a prominent and accessible location information concerning the  
397 illegality of sexual harassment and the remedies available to victims of  
398 sexual harassment; and (B) to require an employer having fifty or more  
399 employees to provide two hours of training and education [to all

400 supervisory employees within one year of October 1, 1992, and]  
401 relating to the illegality of sexual harassment to all new supervisory  
402 employees within six months of their assumption of a supervisory  
403 position, provided any employer who has provided such training and  
404 education to any such employees after October 1, 1991, shall not be  
405 required to provide such training and education a second time. Such  
406 training and education shall include information concerning the  
407 federal and state statutory provisions concerning sexual harassment  
408 and the remedies available to victims of sexual harassment. As used in  
409 this subdivision, "sexual harassment" [shall have] has the same  
410 meaning as set forth in subdivision [(8)] (6) of subsection (a) of section  
411 46a-60, as amended by this act, and "employer" shall include the  
412 General Assembly;

413 (16) To require each state agency that employs one or more  
414 employees to (A) provide a minimum of three hours of diversity  
415 training and education [(i) to all supervisory and nonsupervisory  
416 employees, not later than July 1, 2002, with priority for such training to  
417 supervisory employees, and (ii)] to all newly hired supervisory and  
418 nonsupervisory employees, not later than six months after their  
419 assumption of a position with a state agency, with priority for such  
420 training to supervisory employees. Such training and education shall  
421 include information concerning the federal and state statutory  
422 provisions concerning discrimination and hate crimes directed at  
423 protected classes and the remedies available to victims of  
424 discrimination and hate crimes, standards for working with and  
425 serving persons from diverse populations and strategies for addressing  
426 differences that may arise from diverse work environments; and (B)  
427 submit an annual report to the [Commission on Human Rights and  
428 Opportunities] commission concerning the status of the diversity  
429 training and education required under subparagraph (A) of this  
430 subdivision. The information in such annual reports shall be reviewed  
431 by the commission for the purpose of submitting an annual summary  
432 report to the General Assembly. [Notwithstanding the provisions of

433 this section, if a state agency has provided such diversity training and  
434 education to any of its employees prior to October 1, 1999, such state  
435 agency shall not be required to provide such training and education a  
436 second time to such employees.] The requirements of this subdivision  
437 shall be accomplished within available appropriations. As used in this  
438 subdivision, "employee" [shall include] includes any part-time  
439 employee who works more than twenty hours per week;

440 (17) To require each agency to submit information demonstrating its  
441 compliance with subdivision (16) of this section as part of its  
442 affirmative action plan and to receive and investigate complaints  
443 concerning the failure of a state agency to comply with the  
444 requirements of subdivision (16) of this section; and

445 (18) To enter into contracts for and accept grants of private or  
446 federal funds and to accept gifts, donations or bequests, including  
447 donations of service by attorneys and other individuals.

448 Sec. 5. Section 46a-56 of the general statutes is repealed and the  
449 following is substituted in lieu thereof (*Effective July 1, 2013*):

450 (a) The commission shall:

451 (1) Investigate the possibilities of affording equal opportunity of  
452 profitable employment to all persons, with particular reference to job  
453 training and placement;

454 (2) Compile facts concerning discrimination in employment,  
455 violations of civil liberties and other related matters;

456 (3) Investigate and proceed in all cases of discriminatory practices as  
457 provided in this chapter and noncompliance with the provisions of  
458 section 4a-60, as amended by this act, [or 4a-60a] or sections 46a-68c to  
459 46a-68f, inclusive;

460 (4) From time to time [, but not less than once a year,] report to the



461 Governor, [as provided in section 4-60,] making recommendations for  
462 the removal of such injustices as it may find to exist and such other  
463 recommendations as it deems advisable and describing the  
464 investigations, proceedings and hearings it has conducted and their  
465 outcome, the decisions it has rendered and the other work it has  
466 performed;

467 (5) Monitor state contracts to determine whether they are in  
468 compliance with [sections] section 4a-60, as amended by this act, [and  
469 4a-60a,] and those provisions of the general statutes [which] that  
470 prohibit discrimination; and

471 (6) Compile data concerning state contracts with [female and]  
472 minority business enterprises and submit a report annually to the  
473 General Assembly concerning the employment of such business  
474 enterprises as contractors and subcontractors.

475 (b) The [commission] board of commissioners may, when it is  
476 deemed in the best interests of the state, exempt a contractor or  
477 subcontractor from [the requirements of] complying with any or all of  
478 the provisions of section 4a-60, as amended by this act, [4a-60a,] 46a-  
479 68c, 46a-68d or 46a-68e in any specific contract. Exemptions under [the  
480 provisions of this section] this subsection may include, but not be  
481 limited to, the following: [instances:] (1) [If the] The work is to be or  
482 has been performed outside the state and no recruitment of workers  
483 within [the limits of] the state is involved; (2) [those involving] the  
484 contract involves less than a specified [amounts] amount of money or  
485 specified numbers of workers; [(3) to the extent that they involve  
486 subcontracts] or (3) the subcontract falls below a specified tier. The  
487 [commission] board of commissioners may also exempt facilities of a  
488 contractor [which] that are in all respects separate and distinct from  
489 activities of the contractor related to the performance of the contract,  
490 provided such an exemption shall not interfere with or impede [the  
491 effectuation of the purposes of] compliance with this section and  
492 sections 4a-60, as amended by this act, [4a-60a,] 4a-60g, as amended by

493 this act, 4a-62 and 46a-68b to 46a-68k, inclusive, as amended by this  
494 act.

495 (c) If the commission determines through its monitoring and  
496 compliance procedures that a contractor or subcontractor is not  
497 complying with antidiscrimination statutes or contract provisions  
498 required under section 4a-60, as amended by this act, or [4a-60a or the  
499 provisions of] sections 46a-68c to 46a-68f, inclusive, the commission  
500 may issue a complaint pursuant to subsection (c) of section 46a-82, as  
501 amended by this act. Such complaint shall be scheduled for a hearing  
502 before a [hearing officer or human rights] referee [appointed] assigned  
503 to act as a presiding officer. Such hearing shall be held in accordance  
504 with chapter 54 and section 46a-84, as amended by this act. If, after  
505 such hearing, the presiding officer makes a finding of noncompliance  
506 with antidiscrimination statutes or contract provisions required under  
507 section 4a-60, as amended by this act, or [4a-60a or the provisions of]  
508 sections 46a-68c to 46a-68f, inclusive, the presiding officer shall order  
509 such relief as is necessary to achieve full compliance with any  
510 antidiscrimination statute and required contract provisions. The  
511 presiding officer may: (1) Order the state to retain the two per cent of  
512 the total contract price per month on any existing contract with such  
513 contractor that the state withheld pursuant to section 46a-68d and  
514 transfer the funds to the State Treasurer for deposit in the special fund  
515 described in subsection (e) of this section; (2) prohibit the contractor  
516 from participation in any further contracts with state agencies until:  
517 (A) The expiration of a period of two years from the date of the finding  
518 of noncompliance, or (B) the presiding officer determines that the  
519 contractor has adopted policies consistent with such statutes, provided  
520 the presiding officer shall make such determination within forty-five  
521 days of such finding of noncompliance; (3) publish, or cause to be  
522 published, the names of contractors or unions that the presiding officer  
523 has found to be in noncompliance with such provisions; (4) notify the  
524 Attorney General that, in cases in which there is substantial [or  
525 material] violation or the threat of substantial [or material] violation of

526 [the contractual provisions set forth in] section 4a-60, as amended by  
527 this act, [or 4a-60a,] appropriate proceedings should be brought to  
528 enforce such provisions, including the enjoining [, within the  
529 limitations of applicable law,] of organizations, individuals or groups  
530 [who] that prevent [directly or indirectly,] or seek to prevent [directly  
531 or indirectly,] compliance with [the provisions of] section 4a-60, as  
532 amended by this act; [or 4a-60a;] (5) recommend to the Equal  
533 Employment Opportunity Commission or the Department of Justice  
534 that appropriate proceedings be instituted under Title VII of the Civil  
535 Rights Act of 1964, or related laws, when necessary; (6) recommend to  
536 the appropriate prosecuting authority that criminal proceedings be  
537 brought for the furnishing of false information to any contracting  
538 agency or to the commission; [as the case may be;] (7) order the  
539 contractor to bring itself into compliance with antidiscrimination  
540 statutes or contract provisions required under section 4a-60, as  
541 amended by this act, [or 4a-60a] or sections 46a-68c to 46a-68f,  
542 inclusive, within a period of thirty days or, for good cause shown,  
543 within an additional period of thirty days, and, if such contractor fails  
544 to bring itself into such compliance within such time period and such  
545 noncompliance is substantial [or material] or there is a pattern of  
546 noncompliance, recommend to the contracting agency that such  
547 agency declare the contractor to be in breach of the contract and that  
548 such agency pursue all available remedies; [or] (8) order the  
549 contracting agency to refrain from entering into further contracts, or  
550 extensions or other modifications of existing contracts, with any  
551 noncomplying contractor, until such contractor has satisfied the  
552 commission that such contractor has established and will carry out  
553 personnel and employment policies [in compliance] that comply with  
554 antidiscrimination statutes and [the provisions of] section 4a-60, as  
555 amended by this act, [or 4a-60a] and sections 46a-68c to 46a-68f,  
556 inclusive; or (9) order two or more such remedies or other relief  
557 designed to achieve full compliance with antidiscrimination statutes  
558 and required contract provisions. The commission shall adopt  
559 regulations, in accordance with chapter 54, to implement the

560 provisions of this section.

561 (d) If the commission determines, through its monitoring and  
562 compliance procedures, [and after a complaint is filed and a hearing is  
563 held pursuant to subsection (c) of this section,] that, with respect to a  
564 state contract, a contractor, subcontractor, service provider or supplier  
565 of materials has (1) fraudulently qualified as a minority business  
566 enterprise, or (2) performed services or supplied materials on behalf of  
567 another contractor, subcontractor, service provider or supplier of  
568 materials knowing (A) that such other contractor, subcontractor,  
569 service provider or supplier has fraudulently qualified as a minority  
570 business enterprise in order to appear to comply with  
571 antidiscrimination statutes or contract provisions required under  
572 section 4a-60, as amended by this act, [or 4a-60a,] and (B) that such  
573 services or materials are to be used in connection with a contract  
574 entered into pursuant to subsection (b) of section 4a-60g, [the hearing  
575 officer or human rights referee before whom such hearing was held]  
576 the commission may issue a complaint pursuant to subsection (c) of  
577 section 46a-82, as amended by this act. Such complaint shall be  
578 scheduled for a hearing before a referee assigned by the chief referee to  
579 act as a presiding officer. Such hearing shall be held in accordance with  
580 chapter 54 and section 46a-84, as amended by this act. If, after such  
581 hearing, the presiding officer makes a finding that a contractor,  
582 subcontractor, service provider or supplier of materials has violated  
583 this subsection, the presiding officer shall assess a civil penalty of not  
584 more than ten thousand dollars upon such contractor, subcontractor,  
585 service provider or supplier of materials.

586 (e) The Attorney General, upon complaint of the commission, shall  
587 institute a civil action in the superior court for the judicial district of  
588 Hartford to recover [such] any penalty assessed pursuant to subsection  
589 (d) of this section. Any penalties recovered pursuant to this subsection  
590 shall be deposited in a special fund and shall be held by the State  
591 Treasurer separate and apart from all other moneys, funds and

592 accounts. The resources in such fund shall, pursuant to regulations  
593 adopted by the commission in accordance with the provisions of  
594 chapter 54, be used to assist minority business enterprises. [As used in  
595 this section, "minority business enterprise" means any contractor,  
596 subcontractor or supplier of materials fifty-one per cent or more of the  
597 capital stock, if any, or assets of which is owned by a person or  
598 persons: (i) Who are active in the daily affairs of the enterprise; (ii) who  
599 have the power to direct the management and policies of the  
600 enterprise; and (iii) who are members of a minority, as defined in  
601 subsection (a) of section 32-9n.]

602 Sec. 6. Section 46a-57 of the general statutes is repealed and the  
603 following is substituted in lieu thereof (*Effective July 1, 2013*):

604 [(a) (1) The Governor shall appoint three human rights referees for  
605 terms commencing October 1, 1998, and four human rights referees for  
606 terms commencing January 1, 1999. The human rights referees so  
607 appointed shall serve for a term of one year.

608 (2) (A) On and after October 1, 1999, the Governor shall appoint  
609 seven human rights referees with the advice and consent of both  
610 houses of the General Assembly. The Governor shall appoint three  
611 human rights referees to serve for a term of two years commencing  
612 October 1, 1999. The Governor shall appoint four human rights  
613 referees to serve for a term of three years commencing January 1, 2000.  
614 Thereafter, human rights referees shall serve for a term of three years.

615 (B) On and after July 1, 2001, there shall be five human rights  
616 referees. Each of the human rights referees serving on July 1, 2001,  
617 shall complete the term to which such referee was appointed.  
618 Thereafter, human rights referees shall be appointed by the Governor,  
619 with the advice and consent of both houses of the General Assembly,  
620 to serve for a term of three years.

621 (C) On and after July 1, 2004, there shall be seven human rights

622 referees. Each of the human rights referees serving on July 1, 2004,  
623 shall complete the term to which such referee was appointed and shall  
624 serve until his successor is appointed and qualified. Thereafter, human  
625 rights referees shall be appointed by the Governor, with the advice and  
626 consent of both houses of the General Assembly, to serve for a term of  
627 three years.

628 (D) On and after October 5, 2009, and until July 1, 2011, there shall  
629 be five human rights referees. Each of the human rights referees  
630 serving on October 5, 2009, shall serve until the term to which such  
631 referee was appointed is completed, or until July 1, 2011, whichever is  
632 earlier, and shall serve until a successor is appointed and qualified. In  
633 the case of a vacancy, a successor shall be appointed by the Governor,  
634 with the advice and consent of both houses of the General Assembly,  
635 to serve until July 1, 2011.

636 (E) On and after July 1, 2011, there]

637 (a) (1) There shall be three human rights referees who shall [(i)] (A)  
638 be appointed by the Governor with the advice and consent of both  
639 houses of the General Assembly, and [(ii)] (B) serve for a term of three  
640 years.

641 [(3)] (2) When the General Assembly is not in session, any vacancy  
642 shall be filled pursuant to the provisions of section 4-19. The Governor  
643 may remove any human rights referee for cause.

644 (b) [Human rights referees] Referees shall serve full-time and shall  
645 conduct the settlement negotiations and hearings authorized by the  
646 provisions of this chapter. A [human rights] referee shall have the  
647 powers granted to [hearing officers and] presiding officers by chapter  
648 54 and this chapter. A [human rights] referee shall be an attorney  
649 admitted to the practice of law in this state. Any commissioner of the  
650 Superior Court who is able and willing to hear discriminatory practice  
651 complaints may submit his or her name to the Governor for

652 consideration for appointment. [as a human rights referee. No human  
653 rights] No referee shall appear before the commission or another  
654 [hearing] presiding officer for one year after leaving office.

655 (c) [On or after October 1, 1998, the executive director] The  
656 Governor shall designate one [human rights] referee to serve as [Chief  
657 Human Rights Referee] chief referee for a term of one year. The [Chief  
658 Human Rights Referee] chief referee, in consultation with the executive  
659 director, shall supervise and assign [the human rights referees]  
660 presiding officers to conduct settlement negotiations and hearings on  
661 complaints [, including complaints for which a trial on the merits has  
662 not commenced prior to October 1, 1998,] on a rotating basis. The  
663 commission, in consultation with the executive director and [Chief  
664 Human Rights Referee] chief referee, shall adopt regulations and rules  
665 of practice, in accordance with chapter 54, to ensure consistent  
666 procedures governing contested case proceedings.

667 (d) When serving as a presiding officer as provided in section 46a-  
668 84, as amended by this act, each [human rights] referee [or hearing  
669 officer] shall have the same subpoena powers as are granted to  
670 [commissioners] the commission by subdivision (9) of section 46a-54,  
671 as amended by this act. Each presiding officer shall also have the  
672 power to determine a reasonable fee to be paid to an expert witness [,  
673 including, but not limited to, any practitioner of the healing arts, as  
674 defined in section 20-1, dentist, registered nurse or licensed practical  
675 nurse, as defined in section 20-87a, and real estate appraiser when any  
676 such expert witness is summoned by the commission to give expert  
677 testimony, in person or by deposition, in any contested case  
678 proceeding, pursuant to section 46a-84. Such fee shall be paid to the  
679 expert witness in lieu of all other witness fees.] called by the  
680 commission to give expert testimony in person or by deposition  
681 pursuant to section 46a-84, as amended by this act. Such fee shall be  
682 paid to the expert witness in lieu of all other witness fees. As used in  
683 this subsection, "expert witness" includes, but is not limited to, any

684 practitioner of the healing arts, as defined in section 20-1, dentist  
685 licensed under chapter 379, registered nurse or licensed practical nurse  
686 licensed under chapter 378, and real estate appraiser licensed under  
687 chapter 400g.

688 Sec. 7. Section 46a-58 of the general statutes is repealed and the  
689 following is substituted in lieu thereof (*Effective July 1, 2013*):

690 (a) It shall be a discriminatory practice in violation of this section for  
691 any person to subject, or cause to be subjected, any other person to the  
692 deprivation of any rights, privileges or immunities, secured or  
693 protected by the Constitution or laws of this state or of the United  
694 States, [on account] because of [religion, national origin, alienage,  
695 color,] race, color, religion, age, sex, gender identity or expression,  
696 sexual orientation, [blindness] marital status, national origin, ancestry,  
697 mental disability, intellectual disability, learning disability or physical  
698 disability.

699 (b) Any person who intentionally desecrates any public property,  
700 monument or structure, or any religious object, symbol or house of  
701 religious worship, or any cemetery, or any private structure not owned  
702 by such person, shall be in violation of subsection (a) of this section.  
703 For the purposes of this subsection, "desecrate" means to mar, deface  
704 or damage as a demonstration of irreverence or contempt.

705 (c) Any person who places a burning cross or a simulation thereof  
706 on any public property, or on any private property without the written  
707 consent of the owner, shall be in violation of subsection (a) of this  
708 section.

709 (d) Any person who places a noose or a simulation thereof on any  
710 public property, or on any private property without the written  
711 consent of the owner, and with intent to intimidate or harass any other  
712 person [on account] because of [religion, national origin, alienage,  
713 color,] race, color, religion, age, sex, gender identity or expression,



714 sexual orientation, [blindness] marital status, national origin, ancestry,  
715 mental disability, intellectual disability, learning disability or physical  
716 disability, shall be in violation of subsection (a) of this section.

717 (e) Any person who violates any provision of this section shall be  
718 guilty of a class A misdemeanor, except that if property is damaged as  
719 a consequence of such violation in an amount in excess of one  
720 thousand dollars, such person shall be guilty of a class D felony.

721 Sec. 8. Subsection (a) of section 46a-59 of the general statutes is  
722 repealed and the following is substituted in lieu thereof (*Effective July*  
723 *1, 2013*):

724 (a) It shall be a discriminatory practice in violation of this section for  
725 any association, board or other organization the principal purpose of  
726 which is the furtherance of the professional, trade or occupational  
727 interests of its members, [whose] if the profession, trade or occupation  
728 requires a state license, to refuse to accept a person as a member of  
729 such association, board or organization because of [his] race, [national  
730 origin, creed] color, religion, age, sex, gender identity or expression,  
731 [or color] sexual orientation, marital status, national origin, ancestry,  
732 mental disability, intellectual disability, learning disability or physical  
733 disability.

734 Sec. 9. (NEW) (*Effective July 1, 2013*) It shall be a discriminatory  
735 practice in violation of this section:

736 (1) For any person to retaliate or otherwise discriminate against any  
737 person because such person has opposed any discriminatory practice  
738 or because such person has filed a complaint, testified or assisted in  
739 any proceeding under chapter 814c of the general statutes; or

740 (2) For any person to aid, abet, incite, compel or coerce the doing of  
741 any act declared to be a discriminatory practice or to attempt to aid,  
742 abet, incite, compel or coerce the doing of any such act.

743 Sec. 10. Subsection (a) of section 46a-60 of the general statutes is  
744 repealed and the following is substituted in lieu thereof (*Effective July*  
745 *1, 2013*):

746 (a) It shall be a discriminatory practice in violation of this section:

747 (1) For an employer, by the employer or the employer's agent,  
748 except in the case of a bona fide occupational qualification or need, to  
749 refuse to hire or employ or to bar or to discharge from employment  
750 any individual or to discriminate against such individual in  
751 compensation or in terms, conditions or privileges of employment  
752 because of the individual's race, color, [religious creed] religion, age,  
753 sex, gender identity or expression, sexual orientation, marital status,  
754 national origin, ancestry, [present or past history of] mental disability,  
755 intellectual disability, learning disability or physical disability; [,  
756 including, but not limited to, blindness;]

757 (2) For any employment agency, except in the case of a bona fide  
758 occupational qualification or need, to fail or refuse to classify properly  
759 or refer for employment or otherwise to discriminate against any  
760 individual because of such individual's race, color, [religious creed]  
761 religion, age, sex, gender identity or expression, sexual orientation,  
762 marital status, national origin, ancestry, [present or past history of]  
763 mental disability, intellectual disability, learning disability or physical  
764 disability; [, including, but not limited to, blindness;]

765 (3) For a labor organization, [because of the race, color, religious  
766 creed, age, sex, gender identity or expression, marital status, national  
767 origin, ancestry, present or past history of mental disability,  
768 intellectual disability, learning disability or physical disability,  
769 including, but not limited to, blindness of any individual] except in the  
770 case of a bona fide occupational qualification or need, to exclude from  
771 full membership rights or to expel from its membership [such] any  
772 individual or to discriminate in any way against any of its members or  
773 against any employer or any individual employed by an employer [,

774 unless such action is based on a bona fide occupational qualification]  
775 because of such individual's race, color, religion, age, sex, gender  
776 identity or expression, sexual orientation, marital status, national  
777 origin, ancestry, mental disability, intellectual disability, learning  
778 disability or physical disability;

779 [(4) For any person, employer, labor organization or employment  
780 agency to discharge, expel or otherwise discriminate against any  
781 person because such person has opposed any discriminatory  
782 employment practice or because such person has filed a complaint or  
783 testified or assisted in any proceeding under section 46a-82, 46a-83 or  
784 46a-84;

785 (5) For any person, whether an employer or an employee or not, to  
786 aid, abet, incite, compel or coerce the doing of any act declared to be a  
787 discriminatory employment practice or to attempt to do so;]

788 [(6)] (4) For any person, employer, employment agency or labor  
789 organization, except in the case of a bona fide occupational  
790 qualification or need, to advertise employment opportunities in such a  
791 manner as to restrict such employment so as to discriminate against  
792 individuals because of their race, color, [religious creed] religion, age,  
793 sex, gender identity or expression, sexual orientation, marital status,  
794 national origin, ancestry, [present or past history of] mental disability,  
795 intellectual disability, learning disability or physical disability; [,  
796 including, but not limited to, blindness;]

797 [(7)] (5) For an employer, by the employer or the employer's agent:  
798 (A) To terminate a woman's employment because of her pregnancy;  
799 (B) to refuse to grant to that employee a reasonable leave of absence for  
800 disability resulting from her pregnancy; (C) to deny to that employee,  
801 who is disabled as a result of pregnancy, any compensation to which  
802 she is entitled as a result of the accumulation of disability or leave  
803 benefits accrued pursuant to plans maintained by the employer; (D) to  
804 fail or refuse to reinstate the employee to her original job or to an

805 equivalent position with equivalent pay and accumulated seniority,  
806 retirement, fringe benefits and other service credits upon her  
807 signifying her intent to return unless, in the case of a private employer,  
808 the employer's circumstances have so changed as to make it impossible  
809 or unreasonable to do so; (E) to fail or refuse to make a reasonable  
810 effort to transfer a pregnant employee to any suitable temporary  
811 position which may be available in any case in which an employee  
812 gives written notice of her pregnancy to her employer and the  
813 employer or pregnant employee reasonably believes that continued  
814 employment in the position held by the pregnant employee may cause  
815 injury to the employee or fetus; (F) to fail or refuse to inform the  
816 pregnant employee that a transfer pursuant to subparagraph (E) of this  
817 subdivision may be appealed under the provisions of this chapter; or  
818 (G) to fail or refuse to inform employees of the employer, by any  
819 reasonable means, that they must give written notice of their  
820 pregnancy [in order] to be eligible for transfer to a temporary position;

821 [(8)] (6) For an employer, by the employer or the employer's agent,  
822 for an employment agency, by itself or its agent, or for any labor  
823 organization, by itself or its agent, to harass or to permit the sexual  
824 harassment of any employee, person seeking employment or member  
825 [on the basis] because of sex, sexual orientation or gender identity or  
826 expression. "Sexual harassment" shall, for the purposes of this section,  
827 be defined as any unwelcome sexual advances or requests for sexual  
828 favors or any conduct of a sexual nature when (A) submission to such  
829 conduct is made either explicitly or implicitly a term or condition of an  
830 individual's employment, (B) submission to or rejection of such  
831 conduct by an individual is used as the basis for employment decisions  
832 affecting such individual, or (C) such conduct has the purpose or effect  
833 of substantially interfering with an individual's work performance or  
834 creating an intimidating, hostile or offensive working environment;

835 [(9)] (7) For an employer, by the employer or the employer's agent,  
836 for an employment agency, by itself or its agent, or for any labor

837 organization, by itself or its agent, to request or require information  
838 from an employee, person seeking employment or member relating to  
839 the individual's child-bearing age or plans, pregnancy, function of the  
840 individual's reproductive system, use of birth control methods, or the  
841 individual's familial responsibilities, unless such information is  
842 directly related to a bona fide occupational qualification or need,  
843 provided an employer, through a physician, may request from an  
844 employee any such information which is directly related to workplace  
845 exposure to substances which may cause birth defects or constitute a  
846 hazard to an individual's reproductive system or to a fetus if the  
847 employer first informs the employee of the hazards involved in  
848 exposure to such substances;

849 [(10)] (8) For an employer, by the employer or the employer's agent,  
850 after informing an employee, pursuant to subdivision [(9)] (7) of this  
851 subsection, of a workplace exposure to substances which may cause  
852 birth defects or constitute a hazard to an employee's reproductive  
853 system or to a fetus, to fail or refuse, upon the employee's request, to  
854 take reasonable measures to protect the employee from the exposure  
855 or hazard identified, or to fail or refuse to inform the employee that the  
856 measures taken may be the subject of a complaint filed under the  
857 provisions of this chapter. Nothing in this subdivision is intended to  
858 prohibit an employer from taking reasonable measures to protect an  
859 employee from exposure to such substances. For the purpose of this  
860 subdivision, "reasonable measures" shall be those measures [which]  
861 that are consistent with business necessity and are least disruptive of  
862 the terms and conditions of the employee's employment;

863 [(11)] (9) For an employer, by the employer or the employer's agent,  
864 for an employment agency, by itself or its agent, or for any labor  
865 organization, by itself or its agent: (A) To request or require genetic  
866 information from an employee, person seeking employment or  
867 member, or (B) to discharge, expel or otherwise discriminate against  
868 any person on the basis of genetic information. For the purpose of this

869 subdivision, "genetic information" means the information about genes,  
870 gene products or inherited characteristics that may derive from an  
871 individual or a family member.

872 Sec. 11. Subsection (a) of section 4a-60 of the general statutes is  
873 repealed and the following is substituted in lieu thereof (*Effective July*  
874 *1, 2013*):

875 (a) Every contract to which the state or any political subdivision of  
876 the state other than a municipality is a party shall contain the  
877 following provisions:

878 (1) The contractor agrees and warrants that in the performance of  
879 the contract such contractor will not discriminate or permit  
880 discrimination against any person or group of persons [on the  
881 grounds] because of race, color, [religious creed] religion, age, [marital  
882 status, national origin, ancestry,] sex, gender identity or expression,  
883 [intellectual disability, mental disability] sexual orientation, marital  
884 status, national origin, ancestry, mental disability, intellectual  
885 disability, learning disability or physical disability, [including, but not  
886 limited to, blindness,] unless it is shown by such contractor that such  
887 disability prevents performance of the work involved, in any manner  
888 prohibited by the laws of the United States or of the state of  
889 Connecticut; and the contractor further agrees to take affirmative  
890 action to [insure] ensure that applicants with job-related qualifications  
891 are employed and that employees are treated when employed without  
892 regard to their race, color, [religious creed] religion, age, [marital  
893 status, national origin, ancestry,] sex, gender identity or expression,  
894 [intellectual disability, mental disability] sexual orientation, marital  
895 status, national origin, ancestry, mental disability, intellectual  
896 disability, learning disability or physical disability, [including, but not  
897 limited to, blindness,] unless it is shown by such contractor that such  
898 disability prevents performance of the work involved;

899 (2) The contractor agrees, in all solicitations or advertisements for

900 employees placed by or on behalf of the contractor, to state that it is an  
901 "affirmative action-equal opportunity employer" in accordance with  
902 regulations adopted by the commission;

903 (3) The contractor agrees to provide each labor union or  
904 representative of workers with which such contractor has a collective  
905 bargaining agreement or other contract or understanding and each  
906 vendor with which such contractor has a contract or understanding, a  
907 notice to be provided by the commission advising the labor union or  
908 workers' representative of the contractor's commitments under this  
909 section, and to post copies of the notice in conspicuous places available  
910 to employees and applicants for employment;

911 (4) The contractor agrees to comply with each provision of this  
912 section and sections 46a-68e and 46a-68f and with each regulation or  
913 relevant order issued by said commission pursuant to sections 46a-56,  
914 as amended by this act, 46a-68e, [and] 46a-68f and 46a-86, as amended  
915 by this act; and

916 (5) The contractor agrees to provide the Commission on Human  
917 Rights and Opportunities with such information requested by the  
918 commission, and permit access to pertinent books, records and  
919 accounts, concerning the employment practices and procedures of the  
920 contractor as relate to the provisions of this section and section 46a-56,  
921 as amended by this act.

922 Sec. 12. Subsection (b) of section 4a-60 of the general statutes is  
923 repealed and the following is substituted in lieu thereof (*Effective July*  
924 *1, 2013*):

925 (b) If the contract is a public works contract, the contractor agrees  
926 and warrants that [he] such contractor will make good faith efforts to  
927 employ minority business enterprises as subcontractors and suppliers  
928 of materials on such public works project.

929 Sec. 13. Subsection (d) of section 4a-60 of the general statutes is

930 repealed and the following is substituted in lieu thereof (*Effective July*  
931 *1, 2013*):

932 (d) For the purposes of this section, "contract" includes any  
933 extension or modification of the contract, "contractor" includes any  
934 successors or assigns of the contractor, "marital status" [means being  
935 single, married as recognized by the state of Connecticut, widowed,  
936 separated or divorced] has the same meaning as provided in  
937 subdivision (35) of section 46a-51, as amended by this act, and "mental  
938 disability" [means one or more mental disorders, as defined in the  
939 most recent edition of the American Psychiatric Association's  
940 "Diagnostic and Statistical Manual of Mental Disorders", or a record of  
941 or regarding a person as having one or more such disorders] has the  
942 same meaning as provided in subdivision (36) of section 46a-51, as  
943 amended by this act. For the purposes of this section, "contract" does  
944 not include a contract where each contractor is (1) a political  
945 subdivision of the state, including, but not limited to, a municipality,  
946 (2) a quasi-public agency, as defined in section 1-120, (3) any other  
947 state, as defined in section 1-267, (4) the federal government, (5) a  
948 foreign government, or (6) an agency of a subdivision, agency, state or  
949 government described in subparagraph (1), (2), (3), (4) or (5) of this  
950 subsection.

951 Sec. 14. Subdivision (7) of subsection (a) of section 4a-60g of the  
952 general statutes is repealed and the following is substituted in lieu  
953 thereof (*Effective July 1, 2013*):

954 (7) "Individual with a disability" means an individual [(A) having a  
955 physical or mental impairment that substantially limits one or more of  
956 the major life activities of the individual, which mental impairment  
957 may include, but is not limited to, having one or more mental  
958 disorders, as defined in the most recent edition of the American  
959 Psychiatric Association's "Diagnostic and Statistical Manual of Mental  
960 Disorders", or (B) having a record of such an impairment] who has a  
961 mental disability or physical disability, as those terms are defined in



962 section 46a-51, as amended by this act.

963       Sec. 15. Section 46a-64 of the general statutes is repealed and the  
964 following is substituted in lieu thereof (*Effective July 1, 2013*):

965       (a) It shall be a discriminatory practice in violation of this section: (1)  
966 To deny any person within the jurisdiction of this state full and equal  
967 accommodations in any [place of] public accommodation, resort or  
968 amusement because of race, [creed,] color, [national origin, ancestry]  
969 religion, age, sex, gender identity or expression, sexual orientation,  
970 marital status, [age, lawful source of income, intellectual disability]  
971 national origin, ancestry, mental disability, [or] intellectual disability,  
972 learning disability, physical disability [, including, but not limited to,  
973 blindness or deafness of the applicant] or lawful source of income,  
974 subject only to the conditions and limitations established by law and  
975 applicable alike to all persons; (2) to discriminate, segregate or separate  
976 on account of race, [creed,] color, [national origin, ancestry] religion,  
977 age, sex, gender identity or expression, sexual orientation, marital  
978 status, [age, lawful source of income, intellectual disability] national  
979 origin, ancestry, mental disability, intellectual disability, learning  
980 disability, [or] physical disability [, including, but not limited to,  
981 blindness or deafness] or lawful source of income; (3) for a [place of]  
982 public accommodation, resort or amusement to restrict or limit the  
983 right of a mother to breast-feed her child; (4) for a [place of] public  
984 accommodation, resort or amusement to fail or refuse to post a notice,  
985 in a conspicuous place, that any blind, deaf, [or] mobility impaired  
986 person or person with a mental or physical disability, accompanied by  
987 [his] a guide dog wearing a harness or an orange-colored leash and  
988 collar, may enter such premises or facilities; or (5) to deny any (A)  
989 blind, deaf [or] mobility impaired person, (B) person with a mental or  
990 physical disability or [any] (C) person training a dog as a guide dog  
991 [for a blind person or a dog to assist a deaf or mobility impaired  
992 person,] or an assistance dog accompanied by [his] a guide dog or  
993 assistance dog, full and equal access to any [place of] public

994 accommodation, resort or amusement. Any blind, deaf [or] mobility  
995 impaired person, person with a mental or physical disability or [any]  
996 person training a dog as a guide dog [for a blind person or a dog to  
997 assist a deaf or mobility impaired person] or an assistance dog may  
998 keep [his] a guide dog or assistance dog [with him] at all times in such  
999 [place of] public accommodation, resort or amusement at no extra  
1000 charge, provided the dog wears a harness or an orange-colored leash  
1001 and collar and is in the direct custody of such person. The blind, deaf  
1002 [or] mobility impaired person, person with a mental or physical  
1003 disability or person training a dog as a guide dog [for a blind person or  
1004 a dog to assist a deaf or mobility impaired person] or an assistance dog  
1005 shall be liable for any damage done to the premises or facilities by [his]  
1006 such dog. For purposes of this subdivision, "guide dog" or "assistance  
1007 dog" includes a dog being trained as a guide dog or assistance dog and  
1008 ["person training a dog as a guide dog for a blind person or a dog to  
1009 assist a deaf or mobility impaired person"] "person training a dog as a  
1010 guide dog or an assistance dog" means a person who is employed by  
1011 and authorized to engage in designated training activities by a guide  
1012 dog organization or assistance dog organization that complies with the  
1013 criteria for membership in a professional association of guide dog or  
1014 assistance dog schools and who carries photographic identification  
1015 indicating such employment and authorization.

1016 (b) (1) The provisions of this section with respect to the prohibition  
1017 of [sex] discrimination because of sex shall not apply to (A) the rental  
1018 of sleeping accommodations provided by associations and  
1019 organizations which rent all such sleeping accommodations on a  
1020 temporary or permanent basis for the exclusive use of persons of the  
1021 same sex or (B) separate bathrooms or locker rooms based on sex. (2)  
1022 The provisions of this section with respect to the prohibition of  
1023 discrimination [on the basis] because of age shall not apply to minors  
1024 or to special discount or other public or private programs to assist  
1025 persons sixty years of age and older. (3) The provisions of this section  
1026 with respect to the prohibition of discrimination [on the basis] because

1027 of physical disability shall not require any person to modify [his] such  
1028 person's property in any way or provide a higher degree of care for a  
1029 physically disabled person [, including, but not limited to blind or deaf  
1030 persons,] than for a person not physically disabled, unless otherwise  
1031 required by state or federal law. (4) The provisions of this section with  
1032 respect to the prohibition of discrimination [on the basis of creed]  
1033 because of religion shall not apply to the practice of granting  
1034 preference in admission of residents into a nursing home as defined in  
1035 section 19a-490, if (A) the nursing home is owned, operated by or  
1036 affiliated with a religious organization [,] exempt from taxation for  
1037 federal income tax purposes, and (B) the class of persons granted  
1038 preference in admission is consistent with the religious mission of the  
1039 nursing home. (5) The provisions of this section with respect to the  
1040 prohibition of discrimination [on the basis] because of lawful source of  
1041 income shall not prohibit the denial of full and equal accommodations  
1042 solely on the basis of insufficient income.

1043 (c) Any person who violates any provision of this section shall be  
1044 guilty of a class D misdemeanor.

1045 Sec. 16. Section 46a-64c of the general statutes is repealed and the  
1046 following is substituted in lieu thereof (*Effective July 1, 2013*):

1047 (a) It shall be a discriminatory practice in violation of this section:

1048 (1) To refuse to sell or rent after the making of a bona fide offer, or  
1049 to refuse to negotiate for the sale or rental of, or otherwise make  
1050 unavailable or deny, a dwelling to any person because of race, [creed,  
1051 color, national origin, ancestry, sex, gender identity or expression,  
1052 marital status, age] color, religion, age, sex, gender identity or  
1053 expression, sexual orientation, marital status, national origin, ancestry,  
1054 mental disability, intellectual disability, learning disability, physical  
1055 disability, lawful source of income or familial status.

1056 (2) To discriminate against any person in the terms, conditions [,] or

1057 privileges of sale or rental of a dwelling, or in the provision of services  
1058 or facilities in connection therewith, because of race, [creed, color,  
1059 national origin, ancestry, sex, gender identity or expression, marital  
1060 status, age] color, religion, age, sex, gender identity or expression,  
1061 sexual orientation, marital status, national origin, ancestry, mental  
1062 disability, intellectual disability, learning disability, physical disability,  
1063 lawful source of income or familial status.

1064 (3) To make, print or publish, or cause to be made, printed or  
1065 published any notice, statement [,] or advertisement, with respect to  
1066 the sale or rental of a dwelling, that indicates any preference,  
1067 limitation, or discrimination based on race, [creed, color, national  
1068 origin, ancestry, sex, gender identity or expression, marital status, age,  
1069 lawful source of income, familial status, learning disability or physical  
1070 or mental disability] color, religion, age, sex, gender identity or  
1071 expression, sexual orientation, marital status, national origin, ancestry,  
1072 mental disability, intellectual disability, learning disability, physical  
1073 disability, lawful source of income or familial status, or [an] any  
1074 intention to make any such preference, limitation or discrimination.

1075 (4) (A) To represent to any person because of race, [creed, color,  
1076 national origin, ancestry, sex, gender identity or expression, marital  
1077 status, age, lawful source of income, familial status, learning disability  
1078 or physical or mental disability] color, religion, age, sex, gender  
1079 identity or expression, sexual orientation, marital status, national  
1080 origin, ancestry, mental disability, intellectual disability, learning  
1081 disability, physical disability, lawful source of income or familial status  
1082 that any dwelling is not available for inspection, sale or rental when  
1083 such dwelling is in fact so available.

1084 (B) It shall be a violation of this subdivision for any person to  
1085 restrict or attempt to restrict the choices of any buyer or renter to  
1086 purchase or rent a dwelling (i) to an area which is substantially  
1087 populated, even if less than a majority, by persons of the same  
1088 protected class as the buyer or renter, (ii) while such person is

1089 authorized to offer for sale or rent another dwelling which meets the  
1090 housing criteria as expressed by the buyer or renter to such person,  
1091 and (iii) such other dwelling is in an area which is not substantially  
1092 populated by persons of the same protected class as the buyer or  
1093 renter. As used in this subdivision, "area" means municipality,  
1094 neighborhood or other geographic subdivision which may include an  
1095 apartment or condominium complex; and "protected class" means race,  
1096 [creed, color, national origin, ancestry, sex, gender identity or  
1097 expression, marital status, age, lawful source of income, familial status,  
1098 learning disability or physical or mental disability] color, religion, age,  
1099 sex, gender identity or expression, sexual orientation, marital status,  
1100 national origin, ancestry, mental disability, intellectual disability,  
1101 learning disability, physical disability, lawful source of income or  
1102 familial status.

1103 (5) For profit, to induce or attempt to induce any person to sell or  
1104 rent any dwelling by representations regarding the entry or  
1105 prospective entry into the neighborhood of a person or persons of a  
1106 particular race, [creed, color, national origin, ancestry, sex, gender  
1107 identity or expression, marital status, age, lawful source of income,  
1108 familial status, learning disability or physical or mental disability]  
1109 color, religion, age, sex, gender identity or expression, sexual  
1110 orientation, marital status, national origin, ancestry, mental disability,  
1111 intellectual disability, learning disability, physical disability, lawful  
1112 source of income or familial status.

1113 (6) (A) To discriminate in the sale or rental, or to otherwise make  
1114 unavailable or deny, a dwelling to any buyer or renter because of a  
1115 learning disability, intellectual disability or physical or mental  
1116 disability of: (i) Such buyer or renter; (ii) a person residing in or  
1117 intending to reside in such dwelling after it is so sold, rented, or made  
1118 available; or (iii) any person associated with such buyer or renter.

1119 (B) To discriminate against any person in the terms, conditions or  
1120 privileges of sale or rental of a dwelling, or in the provision of services

1121 or facilities in connection with such dwelling, because of a learning  
1122 disability, intellectual disability or physical or mental disability of: (i)  
1123 Such person; or (ii) a person residing in or intending to reside in such  
1124 dwelling after it is so sold, rented, or made available; or (iii) any  
1125 person associated with such person.

1126 (C) For purposes of this subdivision, discrimination includes: (i) A  
1127 refusal to permit, at the expense of a person with a learning disability,  
1128 intellectual disability or physical or mental disability, reasonable  
1129 modifications of existing premises occupied or to be occupied by such  
1130 person if such modifications may be necessary to afford such person  
1131 full enjoyment of the premises; except that, in the case of a rental, the  
1132 landlord may, where it is reasonable to do so, condition permission for  
1133 a modification on the renter agreeing to restore the interior of the  
1134 premises to the condition that existed before the modification,  
1135 reasonable wear and tear excepted; (ii) a refusal to make reasonable  
1136 accommodations in rules, policies, practices or services, when such  
1137 accommodations may be necessary to afford such person equal  
1138 opportunity to use and enjoy a dwelling; (iii) in connection with the  
1139 design and construction of covered multifamily dwellings for the first  
1140 occupancy after March 13, 1991, a failure to design and construct those  
1141 dwellings in such manner that they comply with the requirements of  
1142 Section 804(f) of the Fair Housing Act or the provisions of the state  
1143 building code as adopted pursuant to the provisions of sections 29-269  
1144 and 29-273, whichever requires greater accommodation. ["Covered  
1145 multifamily dwellings" means buildings consisting of four or more  
1146 units if such buildings have one or more elevators, and ground floor  
1147 units in other buildings consisting of four or more units.]

1148 (7) For any person or other entity engaging in residential real-estate-  
1149 related transactions to discriminate against any person in making  
1150 available such a transaction, or in the terms or conditions of such a  
1151 transaction, because of race, [creed, color, national origin, ancestry, sex,  
1152 gender identity or expression, marital status, age, lawful source of

1153 income, familial status, learning disability or physical or mental  
1154 disability] color, religion, age, sex, gender identity or expression,  
1155 sexual orientation, marital status, national origin, ancestry, mental  
1156 disability, intellectual disability, learning disability, physical disability,  
1157 lawful source of income or familial status.

1158 (8) To deny any person access to or membership or participation in  
1159 any multiple-listing service, real estate brokers' organization or other  
1160 service, organization [.] or facility relating to the business of selling or  
1161 renting dwellings, or to discriminate against [him] such person in the  
1162 terms or conditions of such access, membership or participation, [on  
1163 account] because of race, [creed, color, national origin, ancestry, sex,  
1164 gender identity or expression, marital status, age, lawful source of  
1165 income, familial status, learning disability or physical or mental  
1166 disability] color, religion, age, sex, gender identity or expression,  
1167 sexual orientation, marital status, national origin, ancestry, mental  
1168 disability, intellectual disability, learning disability, physical disability,  
1169 lawful source of income or familial status.

1170 (9) To coerce, intimidate, threaten [.] or interfere with any person in  
1171 the exercise or enjoyment of, or on account of [his] such person having  
1172 exercised or enjoyed, or on account of [his] such person having aided  
1173 or encouraged any other person in the exercise or enjoyment of, any  
1174 right granted or protected by this section.

1175 (b) (1) The provisions of this section shall not apply to (A) the rental  
1176 of a room or rooms in a single-family dwelling unit, if the owner  
1177 actually maintains and occupies part of such living quarters as [his]  
1178 such owner's residence, or (B) a unit in a dwelling containing living  
1179 quarters occupied or intended to be occupied by no more than two  
1180 families living independently of each other, if the owner actually  
1181 maintains and occupies the other such living quarters as [his] such  
1182 owner's residence. (2) The provisions of this section with respect to the  
1183 prohibition of discrimination [on the basis] because of marital status  
1184 shall not be construed to prohibit the denial of a dwelling to a man or a

1185 woman who are both unrelated by blood and not married to each  
1186 other. (3) The provisions of this section with respect to the prohibition  
1187 of discrimination [on the basis] because of age shall not apply to  
1188 minors, to special discount or other public or private programs to  
1189 assist persons sixty years of age and older or to housing for older  
1190 persons, [as defined in section 46a-64b,] provided there is no  
1191 discrimination [on the basis] because of age among older persons  
1192 eligible for such housing. (4) The provisions of this section with respect  
1193 to the prohibition of discrimination [on the basis] because of familial  
1194 status shall not apply to housing for older persons [as defined in  
1195 section 46a-64b] or to a unit in a dwelling containing units for no more  
1196 than four families living independently of each other, if the owner of  
1197 such dwelling resides in one of the units. (5) The provisions of this  
1198 section with respect to the prohibition of discrimination [on the basis]  
1199 because of lawful source of income shall not prohibit the denial of full  
1200 and equal accommodations solely on the basis of insufficient income.  
1201 (6) The provisions of this section with respect to the prohibition of  
1202 discrimination [on the basis] because of sex shall not apply to the  
1203 rental of sleeping accommodations to the extent they utilize shared  
1204 bathroom facilities when such sleeping accommodations are provided  
1205 by associations and organizations which rent such sleeping  
1206 accommodations on a temporary or permanent basis for the exclusive  
1207 use of persons of the same sex based on considerations of privacy and  
1208 modesty.

1209 (c) Nothing in this section limits the applicability of any reasonable  
1210 state statute or municipal ordinance restricting the maximum number  
1211 of persons permitted to occupy a dwelling.

1212 (d) Nothing in this section [or section 46a-64b] shall be construed to  
1213 invalidate or limit any state statute or municipal ordinance that  
1214 requires dwellings to be designed and constructed in a manner that  
1215 affords persons with physical or mental disabilities greater access than  
1216 is required by this section. [or section 46a-64b.]



1217 (e) Nothing in this section prohibits a person engaged in the  
1218 business of furnishing appraisals of real property [to take] from taking  
1219 into consideration factors other than race, [creed, color, national origin,  
1220 ancestry, sex, gender identity or expression, marital status, age, lawful  
1221 source of income, familial status, learning disability or physical or  
1222 mental disability] color, religion, age, sex, gender identity or  
1223 expression, sexual orientation, marital status, national origin, ancestry,  
1224 mental disability, intellectual disability, learning disability, physical  
1225 disability, lawful source of income or familial status.

1226 (f) Notwithstanding any other provision of this chapter, complaints  
1227 alleging a violation of this section shall be investigated within one  
1228 hundred days of filing and a final administrative disposition shall be  
1229 made within one year of filing unless it is impracticable to do so. If the  
1230 [Commission on Human Rights and Opportunities] commission is  
1231 unable to complete its investigation or make a final administrative  
1232 determination within such time frames, it shall notify the complainant  
1233 and the respondent in writing of the reasons for not doing so.

1234 (g) For purposes of this section, "mental disability" and "physical  
1235 disability" include any handicap, as defined in the Fair Housing Act.

1236 [(g)] (h) Any person who violates any provision of this section shall  
1237 be guilty of a class D misdemeanor.

1238 Sec. 17. Subsection (a) of section 46a-66 of the general statutes is  
1239 repealed and the following is substituted in lieu thereof (*Effective July*  
1240 *1, 2013*):

1241 (a) It shall be a discriminatory practice in violation of this section for  
1242 any creditor to discriminate [on the basis] because of [sex, gender  
1243 identity or expression, age,] race, color, [religious creed] religion, age,  
1244 sex, gender identity or expression, sexual orientation, marital status,  
1245 national origin, ancestry, [marital status] mental disability, intellectual  
1246 disability, learning disability [, blindness] or physical disability against

1247 any person eighteen years of age or over in any credit transaction.

1248 Sec. 18. Section 46a-67 of the general statutes is repealed and the  
1249 following is substituted in lieu thereof (*Effective July 1, 2013*):

1250 (a) The Banking Commissioner shall cooperate with the commission  
1251 in its enforcement of sections [46a-65] 46a-66 to 46a-67, inclusive, as  
1252 amended by this act, [46a-81f] and 46a-98, as amended by this act.

1253 (b) The Banking Commissioner shall comply with the commission's  
1254 request for information, reasonable investigatory assistance and the  
1255 promulgation of regulations which may be required for the effective  
1256 administration of sections [46a-65] 46a-66 to 46a-67, inclusive, as  
1257 amended by this act, [46a-81f] and 46a-98, as amended by this act.

1258 Sec. 19. Section 46a-68a of the general statutes is repealed and the  
1259 following is substituted in lieu thereof (*Effective July 1, 2013*):

1260 (a) The [commission] board of commissioners may issue a certificate  
1261 of noncompliance if the affirmative action plan required by section  
1262 46a-68, as amended by this act, is disapproved.

1263 (b) The issuance of a certificate of noncompliance shall bar the  
1264 agency, department, board or commission in noncompliance with  
1265 section 46a-68, as amended by this act, from filling a position or  
1266 position classification by hire or promotion upon receipt of the  
1267 certificate, the provisions of any state law or regulation to the contrary  
1268 notwithstanding, until: (1) The commission and board of  
1269 commissioners determines that the agency has achieved compliance  
1270 with section 46a-68, as amended by this act, and withdraws the  
1271 certificate; [or] (2) the commission, at a hearing requested by the  
1272 agency, department, board or commission receiving the certificate and  
1273 conducted by a presiding officer appointed by the [chairperson of the  
1274 commission] chief referee, is unable to show cause why the certificate  
1275 of noncompliance should not be rescinded or a court, upon appeal, so  
1276 determines; or (3) the Commissioner of Administrative Services and

1277 the Secretary of the Office of Policy and Management certify to the  
1278 commission and the board of commissioners that the agency in  
1279 noncompliance with section 46a-68, as amended by this act, requires  
1280 immediate filling of the vacancy because failure to fill the position or  
1281 position classification will cause an emergency situation to exist  
1282 jeopardizing the public welfare. A separate certificate of exemption  
1283 shall be required for each vacancy in a position or position  
1284 classification with respect to which the Commissioner of  
1285 Administrative Services and the Secretary of the Office of Policy and  
1286 Management certify that an emergency situation exists.

1287 (c) Hearings under this section shall be conducted in accordance  
1288 with sections 4-176e to 4-182, inclusive.

1289 (d) The commission shall adopt regulations in accordance with  
1290 chapter 54 to implement this section.

1291 Sec. 20. Subsection (a) of section 46a-70 of the general statutes is  
1292 repealed and the following is substituted in lieu thereof (*Effective July*  
1293 *1, 2013*):

1294 (a) State officials and supervisory personnel shall recruit, appoint,  
1295 assign, train, evaluate and promote state personnel on the basis of  
1296 merit and qualifications, without regard for race, color, [religious  
1297 creed, sex, gender identity or expression, marital status, age, national  
1298 origin, ancestry, intellectual disability, mental disability, learning  
1299 disability or physical disability, including but not limited to, blindness]  
1300 religion, age, sex, gender identity or expression, sexual orientation,  
1301 marital status, national origin, ancestry, mental disability, intellectual  
1302 disability, learning disability or physical disability, unless it is shown  
1303 by such state officials or supervisory personnel that such disability  
1304 prevents performance of the work involved.

1305 Sec. 21. Section 46a-70a of the general statutes is repealed and the  
1306 following is substituted in lieu thereof (*Effective July 1, 2013*):

1307 (a) The Judicial Branch shall develop and implement an equal  
1308 employment opportunities plan pursuant to federal law that commits  
1309 the Judicial Branch to a program of equal employment opportunities in  
1310 all aspects of personnel and administration. The Chief Court  
1311 Administrator shall be responsible for developing, implementing and  
1312 filing the plan with the [Commission on Human Rights and  
1313 Opportunities] commission.

1314 (b) The Judicial Branch shall comply with the provisions of  
1315 subsection (b) of section 46a-68, section 46a-68g, subsections (a), (b)  
1316 and (c) of section 46a-70, as amended by this act, subsections (a), (b)  
1317 and (d) of section 46a-71, as amended by this act, and subsections (a)  
1318 and (c) of section 46a-77, as amended by this act. [, subsections (a), (b)  
1319 and (c) of section 46a-81h and section 46a-81i.]

1320 (c) The Criminal Justice Commission shall comply with the  
1321 provisions of subsections (a) and (b) of section 46a-68, sections 46a-68g,  
1322 46a-70, as amended by this act, and 46a-71, as amended by this act, and  
1323 subsections (a) and (c) of section 46a-77, as amended by this act. [and  
1324 sections 46a-81h and 46a-81i.]

1325 Sec. 22. Subsection (a) of section 46a-71 of the general statutes is  
1326 repealed and the following is substituted in lieu thereof (*Effective July*  
1327 *1, 2013*):

1328 (a) All services of every state agency shall be performed without  
1329 discrimination [based upon] because of race, color, [religious creed,  
1330 sex, gender identity or expression, marital status, age, national origin,  
1331 ancestry, intellectual disability, mental disability, learning disability or  
1332 physical disability, including, but not limited to, blindness] religion,  
1333 age, sex, gender identity or expression, sexual orientation, marital  
1334 status, national origin, ancestry, mental disability, intellectual  
1335 disability, learning disability or physical disability.

1336 Sec. 23. Subsection (b) of section 46a-72 of the general statutes is

1337 repealed and the following is substituted in lieu thereof (*Effective July*  
1338 *1, 2013*):

1339 (b) Any job request indicating an intention to exclude any person  
1340 because of race, color, [religious creed, sex, gender identity or  
1341 expression, marital status, age, national origin, ancestry, intellectual  
1342 disability, mental disability, learning disability or physical disability,  
1343 including, but not limited to, blindness] religion, age, sex, gender  
1344 identity or expression, sexual orientation, marital status, national  
1345 origin, ancestry, mental disability, intellectual disability, learning  
1346 disability or physical disability shall be rejected, unless it is shown by  
1347 such public or private [employers] employer that such disability  
1348 prevents performance of the work involved.

1349 Sec. 24. Subsection (a) of section 46a-73 of the general statutes is  
1350 repealed and the following is substituted in lieu thereof (*Effective July*  
1351 *1, 2013*):

1352 (a) No state department, board or agency may grant, deny or revoke  
1353 the license or charter of any person [on the grounds] because of race,  
1354 color, [religious creed, sex, gender identity or expression, marital  
1355 status, age, national origin, ancestry, intellectual disability, mental  
1356 disability, learning disability or physical disability, including, but not  
1357 limited to, blindness] religion, age, sex, gender identity or expression,  
1358 sexual orientation, marital status, national origin, ancestry, mental  
1359 disability, intellectual disability, learning disability or physical  
1360 disability, unless it is shown by such state department, board or  
1361 agency that such disability prevents performance of the work  
1362 involved.

1363 Sec. 25. Subsection (a) of section 46a-75 of the general statutes is  
1364 repealed and the following is substituted in lieu thereof (*Effective July*  
1365 *1, 2013*):

1366 (a) All educational, counseling [,] and vocational guidance

1367 programs, and all apprenticeship and on-the-job training programs of  
1368 state agencies [,] or in which state agencies participate, shall be open to  
1369 all qualified persons, without regard to race, color, [religious creed,  
1370 sex, gender identity or expression, marital status, age, national origin,  
1371 ancestry, intellectual disability, mental disability, learning disability or  
1372 physical disability, including, but not limited to, blindness] religion,  
1373 age, sex, gender identity or expression, sexual orientation, marital  
1374 status, national origin, ancestry, mental disability, intellectual  
1375 disability, learning disability or physical disability.

1376 Sec. 26. Subsection (a) of section 46a-76 of the general statutes is  
1377 repealed and the following is substituted in lieu thereof (*Effective July*  
1378 *1, 2013*):

1379 (a) Race, color, [religious creed, sex, gender identity or expression,  
1380 marital status, age, national origin, ancestry, intellectual disability,  
1381 mental disability, learning disability or physical disability, including,  
1382 but not limited to, blindness] religion, age, sex, gender identity or  
1383 expression, sexual orientation, marital status, national origin, ancestry,  
1384 mental disability, intellectual disability, learning disability or physical  
1385 disability shall not be considered as limiting factors in state-  
1386 administered programs involving the distribution of funds to qualify  
1387 applicants for benefits authorized by law.

1388 Sec. 27. Subsection (c) of section 46a-77 of the general statutes is  
1389 repealed and the following is substituted in lieu thereof (*Effective July*  
1390 *1, 2013*):

1391 (c) Each state agency shall comply [in all of its services, programs  
1392 and activities] with [the provisions of] the Americans with Disabilities  
1393 Act [(42 USC 12101)] to the [same] extent that it provides rights and  
1394 protections for persons with physical or mental disabilities beyond  
1395 those provided for by the laws of this state.

1396 Sec. 28. Section 46a-81p of the general statutes is repealed and the

1397 following is substituted in lieu thereof (*Effective July 1, 2013*):

1398 The provisions of [sections 4a-60a] section 4a-60, as amended by this  
1399 act, and [46a-81a to 46a-81o, inclusive,] this chapter concerning the  
1400 prohibition of discrimination because of sexual orientation shall not  
1401 apply to a religious corporation, entity, association, educational  
1402 institution or society with respect to the employment of individuals to  
1403 perform work connected with the carrying on by such corporation,  
1404 entity, association, educational institution or society of its activities, or  
1405 with respect to matters of discipline, faith, internal organization or  
1406 ecclesiastical rule, custom or law which are established by such  
1407 corporation, entity, association, educational institution or society.

1408 Sec. 29. Section 46a-82 of the general statutes is repealed and the  
1409 following is substituted in lieu thereof (*Effective July 1, 2013*):

1410 (a) Any person claiming to be aggrieved by an alleged  
1411 discriminatory practice [, except for an alleged violation of section 4a-  
1412 60g or 46a-68 or the provisions of sections 46a-68c to 46a-68f, inclusive,  
1413 may, by himself or herself or by such person's attorney, make, sign  
1414 and] may file with the commission a complaint in writing under oath,  
1415 [which] except that a complaint alleging a violation of section 46a-64c,  
1416 as amended by this act, need not be filed under oath. The complaint  
1417 shall state the name and address of the person alleged to have  
1418 committed the discriminatory practice, [and which shall set forth the  
1419 particulars thereof] any act alleged to be a discriminatory practice and  
1420 [contain] such other information as may be required by the  
1421 commission. After the filing of a complaint, [pursuant to this  
1422 subsection,] the commission shall [serve upon the person claiming to  
1423 be aggrieved] provide the complainant with a notice that: (1)  
1424 Acknowledges receipt of the complaint; and (2) advises of the time  
1425 frames and choice of forums available under this chapter.

1426 (b) [The commission, whenever it] Whenever the board of  
1427 commissioners has reason to believe that any person has been engaged

1428 or is engaged in a discriminatory practice, the board of commissioners  
1429 may direct commission legal counsel to issue a complaint, except for a  
1430 violation of subsection (a) of section 46a-80.

1431 (c) [The commission, whenever it] Whenever the board of  
1432 commissioners has reason to believe that any contractor or  
1433 subcontractor is not complying with antidiscrimination statutes or  
1434 contract provisions required under section 4a-60, 4a-60a or 4a-60g or  
1435 the provisions of sections 46a-68c to 46a-68f, inclusive, [may] the board  
1436 of commissioners may direct commission legal counsel to issue a  
1437 complaint.

1438 (d) The [commission may] board of commissioners may direct  
1439 commission legal counsel to issue a complaint if: (1) An affirmative  
1440 action plan filed pursuant to section 46a-68 is in violation of any of the  
1441 provisions of section 4-61u or 4-61w, sections 46a-54 to 46a-64,  
1442 inclusive, section 46a-64c or sections 46a-70 to 46a-78, inclusive; or (2)  
1443 an agency, department, board or commission fails to submit an  
1444 affirmative action plan required under section 46a-68.

1445 (e) Any employer whose employees, or any of them, refuse or  
1446 threaten to refuse to comply with [the provisions of] section 46a-60, as  
1447 amended by this act, [or 46a-81c] may file with the commission a  
1448 written complaint under oath asking for assistance by conciliation or  
1449 other remedial action.

1450 (f) Any complaint filed pursuant to this section must be filed within  
1451 one hundred and eighty days after the alleged act of discrimination. [,  
1452 except that any complaint by a person claiming to be aggrieved by a  
1453 violation of subsection (a) of section 46a-80 must be filed within thirty  
1454 days of the alleged act of discrimination.]

1455 Sec. 30. Section 46a-82e of the general statutes is repealed and the  
1456 following is substituted in lieu thereof (*Effective July 1, 2013*):

1457 (a) Notwithstanding the failure of the [Commission on Human



1458 Rights and Opportunities] commission to comply with the time  
1459 requirements of sections 46a-83, as amended by this act, and 46a-84, as  
1460 amended by this act, [with respect to a complaint before the  
1461 commission,] the jurisdiction of the commission over any [such]  
1462 complaint shall be retained.

1463 (b) The commission shall report annually to the judiciary committee  
1464 of the General Assembly and the Governor: (1) The number of cases in  
1465 the previous fiscal year that exceeded the time frame, including  
1466 authorized extensions, set forth in subsection [(e)] (f) of section 46a-83,  
1467 as amended by this act; (2) the reasons for the failure to comply with  
1468 the time frame; (3) the number of actions brought pursuant to  
1469 subsection (d) of this section and the results thereof; and (4) the  
1470 commission's recommendations for legislative action, if any, necessary  
1471 for the commission to meet the statutory time frame.

1472 (c) If a complaint has been pending for more than twenty-one  
1473 months from the date of filing and the commission has not issued a  
1474 finding of reasonable cause or no reasonable cause, the executive  
1475 director shall notify the complainant by first class mail, facsimile  
1476 machine, electronic mail or a file transfer protocol site that the  
1477 complainant has the right to request a release of jurisdiction in  
1478 accordance with section 46a-101, as amended by this act. The executive  
1479 director or the executive director's designee shall investigate the cause  
1480 for the delay in issuing a finding. After such investigation, the  
1481 executive director may, given the facts and circumstances of the case,  
1482 schedule a date [certain] for issuance of a finding. [of reasonable cause  
1483 or no reasonable cause.]

1484 (d) (1) If a complaint has been pending for more than two years after  
1485 the date of filing pursuant to section 46a-82, as amended by this act,  
1486 and if the investigator fails to issue a finding of reasonable cause or no  
1487 reasonable cause by the date ordered by the executive director [of the  
1488 commission] pursuant to subsection (c) of this section, the complainant  
1489 or respondent may petition the superior court for the judicial district of

1490 Hartford for an order requiring the commission to issue a finding [of  
1491 reasonable cause or no reasonable cause] by a specified date. [certain.]  
1492 The petitioner shall submit the petition on forms prescribed by the  
1493 Office of the Chief Court Administrator.

1494 (2) The clerk, upon receipt of the petition and if the clerk finds it to  
1495 be in the proper form, shall fix a date for the hearing and sign the  
1496 notice of hearing. The hearing date shall be no more than thirty days  
1497 after the clerk signs the notice. Service shall be made on the  
1498 commission and all persons named in the discriminatory practice  
1499 complaint at least twenty days prior to the date of hearing by United  
1500 States mail, certified or registered, postage prepaid, return receipt  
1501 requested, without the use of a state marshal or other officer. Service  
1502 on the commission shall be made on the executive director. [of the  
1503 commission or a commission legal counsel.] Within five days of  
1504 service, the petitioner shall file with the court an affidavit stating the  
1505 date and manner in which a copy of the petition was served and attach  
1506 to the affidavit the return receipts indicating delivery of the petition. If  
1507 the return receipts are not available at the time the petitioner files such  
1508 affidavit, such receipts shall be filed with the court immediately after  
1509 the petitioner receives such receipts.

1510 (3) Within ten days after receipt of the petition, any party, including  
1511 the commission, may file an answer. The commission and all persons  
1512 named in the [discriminatory practice complaint] petition shall have  
1513 the right to appear and be heard at the hearing.

1514 (4) If the commission and parties agree on a date, [certain,] the court  
1515 shall order the commission to issue a finding of reasonable cause or no  
1516 reasonable cause by said date. If the allegations of the petition are  
1517 contested, the court shall hold a hearing [on the petition] and issue an  
1518 appropriate order. [Hearing of oral argument on the petition] Hearings  
1519 held pursuant to this subdivision shall take precedence over other  
1520 matters in the court, as provided in section 46a-96. The court [shall]  
1521 may award court costs and attorney's fees to the petitioner, provided

1522 [such party] the petitioner is a "person", as defined in section 4-184a,  
1523 unless the commission shows good cause for not issuing the finding of  
1524 reasonable cause or no reasonable cause [within two years of the date  
1525 of filing or] by the date ordered by the executive director for the  
1526 investigator to issue such finding. [, whichever is later.] An award of  
1527 court costs and attorney's fees shall be subject to the court's discretion,  
1528 but shall not exceed a total of five hundred dollars.

1529 (5) This subsection shall not apply to complaints initiated by the  
1530 commission or to pattern or practice or systemic cases.

1531 Sec. 31. Section 46a-83 of the general statutes is repealed and the  
1532 following is substituted in lieu thereof (*Effective July 1, 2013*):

1533 (a) Within [twenty] fifteen days after the filing of any discriminatory  
1534 practice complaint pursuant to subsection (a) or (b) of section 46a-82,  
1535 as amended by this act, or an amendment to such complaint adding an  
1536 additional respondent, the commission shall provide the respondent  
1537 by first class mail, facsimile machine, electronic mail or a file transfer  
1538 protocol site with the complaint and a notice advising of the  
1539 procedural rights and obligations of a respondent under this chapter.  
1540 The respondent shall either (1) file a written answer to the complaint as  
1541 provided in subsection (b) of this section, or (2) not later than ten days  
1542 after the date of receipt of the complaint, provide written notification  
1543 to the complainant and the commission that the respondent has elected  
1544 to participate in no-fault conciliation. The commission shall conduct a  
1545 no-fault conciliation conference not later than thirty days after the date  
1546 of receiving the respondent's request for conciliation.

1547 (b) The respondent shall file a written answer to the complaint  
1548 under oath with the commission within thirty days of receipt of the  
1549 complaint or within thirty days of the date after the commission  
1550 determines that the no-fault conciliation conference was unsuccessful,  
1551 provided a respondent may request, and the commission may grant [,  
1552 for good cause shown,] one extension of time of fifteen days within

1553 which to file an answer to a complaint. The answer to any complaint  
1554 alleging a violation of section 46a-64c, as amended by this act, [or 46a-  
1555 81e] shall be filed within ten days of receipt. Unless the date of receipt  
1556 of a complaint by the respondent is otherwise proven, a complaint sent  
1557 by first class mail shall be considered to be received not later than two  
1558 days after the date of mailing. A complaint sent by facsimile machine,  
1559 electronic mail or file transfer protocol site shall be considered to be  
1560 received on the date on which it was sent. Responses to any  
1561 amendment to the complaint shall be subject to the time frames  
1562 prescribed in this subsection.

1563 [(b)] (c) Within [ninety] sixty days of the filing of the respondent's  
1564 answer to the complaint, the executive director or the executive  
1565 director's designee shall conduct a merit assessment review. The merit  
1566 assessment review shall include the complaint, the respondent's  
1567 answer and the responses to the commission's requests for  
1568 information, if any, and the complainant's comments, if any, to the  
1569 respondent's answer and information responses. If the executive  
1570 director or the executive director's designee determines that the  
1571 complaint fails to state a claim for relief or is frivolous on its face, that  
1572 the respondent is exempt from the provisions of this chapter or that  
1573 there is no reasonable possibility that investigating the complaint will  
1574 result in a finding of reasonable cause, the executive director or the  
1575 executive director's designee shall dismiss the complaint and send  
1576 notice of dismissal pursuant to section 46a-86a, as amended by this act.  
1577 Within fifteen days of the sending of the notice of dismissal, the  
1578 complainant may request a release of jurisdiction allowing the  
1579 complainant to bring a civil action under section 46a-100, as amended  
1580 by this act. If the complainant does not request a release of jurisdiction,  
1581 commission legal counsel shall conduct a legal review of any  
1582 complaint dismissed pursuant to this subsection and shall reinstate or  
1583 deny reinstatement of the complaint within [sixty] thirty days of the  
1584 sending of the notice of dismissal. The executive director or the  
1585 executive director's designee shall send notice of any action taken

1586 pursuant to the merit assessment review and the legal review  
1587 conducted pursuant to this subsection in accordance with section 46a-  
1588 86a, as amended by this act. This subsection and subdivisions (1), (2)  
1589 and (3) of subsection (d) of this section shall not apply to any  
1590 complaint alleging a violation of section 46a-64c, as amended by this  
1591 act. [or 46a-81e.] The executive director shall report the results of the  
1592 merit assessment reviews made pursuant to this subsection to the  
1593 commission quarterly during each year.

1594 [(c)] (d) (1) If a complaint is not dismissed after the merit assessment  
1595 review pursuant to subsection [(b)] (c) of this section or if a complaint  
1596 is reinstated after legal review pursuant to said subsection [(b)] (c), the  
1597 executive director or the executive director's designee shall assign an  
1598 investigator or commission legal counsel to hold a mandatory  
1599 mediation conference within sixty days of sending notice of action  
1600 taken pursuant to the merit assessment review or legal review. The  
1601 investigator or commission legal counsel assigned to conduct the  
1602 mediation session shall not be assigned to investigate the complaint.  
1603 The mandatory mediation conference may not be scheduled for the  
1604 same time as a fact-finding conference held pursuant to subsection  
1605 [(d)] (e) of this section. The mediator may hold additional mediation  
1606 conferences to accommodate settlement discussions.

1607 (2) [If] For complaints filed on or before December 31, 2013, if the  
1608 complaint is not resolved after the mandatory mediation conference,  
1609 the complainant, the respondent or the commission may at any time  
1610 after such conference request early legal intervention. If a request for  
1611 early legal intervention is made, the executive director or the executive  
1612 director's designee shall determine within ninety days of the request  
1613 whether (A) the complaint should be heard immediately pursuant to  
1614 section 46a-84, as amended by this act, (B) the complaint should be  
1615 [processed] investigated pursuant to subsection [(d)] (e) of this section  
1616 by an investigator working under a regional manager or commission  
1617 legal counsel, or (C) the complainant should be released from the

jurisdiction of the commission. In making such determination, the executive director or the executive director's designee may hold additional proceedings and may utilize and direct commission staff. If the executive director or the executive director's designee determines that the complaint should be processed pursuant to subsection [(d)] (e) of this section, the executive director or the executive director's designee may recommend that the investigator make a finding of no reasonable cause. [If the executive director or the executive director's designee recommends that the investigator make a finding of no reasonable cause, the] The investigator shall make such a finding unless the investigator believes the executive director, [or] the executive director's designee or commission legal counsel made a mistake of fact. If the investigator intends to make a finding of reasonable cause after the executive director, [or] the executive director's designee or commission legal counsel recommends otherwise, the investigator shall consult with the executive director, [or] the executive director's designee or commission legal counsel before making such finding.

(3) For complaints filed after December 31, 2013, if the complaint is not resolved after the mandatory mediation conference, commission legal counsel shall determine not later than ninety days after the date of the mandatory mediation conference, whether (A) the complaint should be heard immediately pursuant to section 46a-84, as amended by this act, (B) investigated pursuant to subsection (e) of this section by an investigator working under a regional manager or commission legal counsel, or (C) the complainant should be released from the jurisdiction of the commission. In making such determination, commission legal counsel may hold additional proceedings and may utilize and direct commission staff. For complaints investigated pursuant to subsection (e) of this section, commission legal counsel shall direct the investigation and shall review and approve all determinations of reasonable cause or no reasonable cause proposed by the investigator.

1651        [(3)] (4) If the complaint is not resolved after the mandatory  
1652 mediation conference, the complainant or the respondent may request  
1653 the commission to hold additional mediation conferences.

1654        [(4)] (5) The commission may dismiss the complaint if (A) a  
1655 complainant, after notice and without good cause, fails to attend a  
1656 mandatory mediation conference; or (B) the respondent has eliminated  
1657 the discriminatory practice complained of, taken steps to prevent a like  
1658 occurrence in the future and offered full relief to the complainant, even  
1659 though the complainant has refused such relief.

1660        [(d)] (e) If the complaint is not resolved after the mandatory  
1661 mediation conference held pursuant to subsection [(c)] (d) of this  
1662 section or the executive director or commission legal counsel  
1663 determines that the complaint should be processed pursuant to this  
1664 subsection in accordance with subdivision (2) or (3) of subsection [(c)]  
1665 (d) of this section, the executive director or the executive director's  
1666 designee shall assign an investigator to process the complaint within  
1667 fifteen days after the [mandatory mediation conference] date on which  
1668 the mediation failed or the decision to conduct an investigation was  
1669 made, as applicable. The investigator may conduct a fact-finding  
1670 conference, a complete investigation, including, but not limited to,  
1671 individual witness interviews, requests for voluntary disclosure of  
1672 information, subpoenas of witnesses or documents, requests for  
1673 admission of facts, interrogatories, site visits or any other lawful means  
1674 of finding facts, or any combination thereof for the purpose of  
1675 determining if there is reasonable cause for believing that a  
1676 discriminatory practice has been or is being committed as alleged in  
1677 the complaint. [As used in this section and section 46a-84, "reasonable  
1678 cause" means a bona fide belief that the material issues of fact are such  
1679 that a person of ordinary caution, prudence and judgment could  
1680 believe the facts alleged in the complaint.] The executive director or the  
1681 executive director's designee may dismiss the complaint if the  
1682 complainant, after notice [,] and without good cause, fails to attend a

1683 fact-finding conference.

1684 [(e)] (f) (1) Before issuing a finding of reasonable cause or no  
1685 reasonable cause, the investigator shall afford each party and each  
1686 party's representative an opportunity to provide written or oral  
1687 comments on all evidence in the commission's file, except as otherwise  
1688 provided by federal law or the general statutes. The investigator shall  
1689 consider such comments before making a finding. The investigator  
1690 shall make a finding of reasonable cause or no reasonable cause in  
1691 writing and shall list the factual findings on which it is based not later  
1692 than one hundred ninety days from the date of the merit assessment  
1693 review, except that for good cause shown, the executive director or the  
1694 executive director's designee may grant no more than two extensions  
1695 of the investigation of three months each.

1696 (2) If the investigator makes a finding that there is reasonable cause  
1697 to believe that a violation of section 46a-64c, as amended by this act,  
1698 has occurred, the complainant and the respondent shall have twenty  
1699 days from sending of the reasonable cause finding to elect a civil action  
1700 in lieu of an administrative hearing pursuant to section 46a-84, as  
1701 amended by this act. If either the complainant or the respondent  
1702 requests a civil action, the commission, through the Attorney General  
1703 or a commission legal counsel, shall commence an action pursuant to  
1704 subsection (b) of section 46a-89, as amended by this act, within ninety  
1705 days of receipt of the notice of election. If the Attorney General or a  
1706 commission legal counsel believes that injunctive relief, punitive  
1707 damages or a civil penalty would be appropriate, such relief, damages  
1708 or penalty may also be sought. The jurisdiction of the Superior Court  
1709 in an action brought under this subdivision shall be limited to such  
1710 claims, counterclaims, defenses or the like that could be presented at  
1711 an administrative hearing before the commission, had the complaint  
1712 remained with the commission for disposition. A complainant may  
1713 intervene as a matter of right in a civil action without permission of the  
1714 court or the parties. If the Attorney General or commission legal



1715 counsel, as the case may be, determines that the interests of the state  
1716 will not be adversely affected, the complainant or attorney for the  
1717 complainant shall present all or part of the case in support of the  
1718 complaint. If the Attorney General or a commission legal counsel  
1719 determines that a material mistake of law or fact has been made in the  
1720 finding of reasonable cause, the Attorney General or a commission  
1721 legal counsel may decline to bring a civil action and shall remand the  
1722 file to the investigator for further action. The investigator shall  
1723 complete any such action not later than ninety days after receipt of  
1724 such file.

1725       [(f)] (g) If the investigator issues a finding of no reasonable cause or  
1726 if the complaint is dismissed pursuant to subdivision (5) of subsection  
1727 (d) of this section or for failure to attend a fact-finding conference  
1728 pursuant to subsection (e) of this section, the complainant may file a  
1729 written request for reconsideration with the executive director or the  
1730 executive director's designee, not later than fifteen days from the  
1731 sending of such finding or dismissal. A request for reconsideration  
1732 shall state specifically the reasons why reconsideration should be  
1733 granted. [The executive director or the executive director's designee]  
1734 Commission legal counsel shall grant or reject reconsideration within  
1735 ninety days of the sending of such finding or dismissal. [The executive  
1736 director or the executive director's designee] Commission legal counsel  
1737 shall conduct such additional proceedings as may be necessary to  
1738 render a decision on the request.

1739       [(g)] (h) After finding that there is reasonable cause to believe that a  
1740 discriminatory practice has been or is being committed as alleged in  
1741 the complaint, an investigator shall attempt to eliminate the practice  
1742 complained of by conference, conciliation and persuasion within fifty  
1743 days of the finding. The refusal to accept a settlement shall not be  
1744 grounds for dismissal of any complaint.

1745       [(h)] (i) No commissioner or employee of the commission may  
1746 disclose, except to the parties or their representatives, what has

1747 occurred in the course of [such endeavors] the commission's  
1748 processing of a complaint, provided the commission may publish the  
1749 facts in the case and any complaint which has been dismissed and the  
1750 terms of conciliation when a complaint has been adjusted. Each party  
1751 and his or her representative shall have the right to inspect and copy  
1752 documents, statements of witnesses and other evidence pertaining to  
1753 the complaint, except as otherwise provided by federal law or the  
1754 general statutes.

1755 [(i)] (j) In the investigation of any complaint filed pursuant to this  
1756 chapter, [the] commission legal counsel may issue subpoenas requiring  
1757 the production of records and other documents or compelling the  
1758 attendance of witnesses.

1759 [(j)] (k) The executive director or the executive director's designee  
1760 may enter an order of default against a respondent who (1) after  
1761 notice, fails to answer a complaint in accordance with subsection (a) of  
1762 this section or within such extension of time as may have been granted;  
1763 (2) fails to answer interrogatories issued pursuant to subdivision (11)  
1764 of section 46a-54, as amended by this act, or fails to respond to a  
1765 subpoena issued pursuant to subsection [(i)] (j) of this section or  
1766 subdivision (9) of section 46a-54, as amended by this act, provided the  
1767 executive director or the executive director's designee shall consider  
1768 any timely filed objection; (3) after notice and without good cause, fails  
1769 to attend a fact-finding conference; or (4) after notice and without good  
1770 cause, fails to attend a mandatory mediation conference. Upon entry of  
1771 an order of default, the [executive director or the executive director's  
1772 designee] chief referee shall appoint a presiding officer to enter, after  
1773 notice and hearing, an order eliminating the discriminatory practice  
1774 complained of and making the complainant whole. The respondent  
1775 may make application to the executive director or the executive  
1776 director's designee to vacate the default. The commission or the  
1777 complainant may petition the Superior Court for enforcement of any  
1778 order for relief pursuant to section 46a-95.

1779 Sec. 32. Section 46a-84 of the general statutes is repealed and the  
1780 following is substituted in lieu thereof (*Effective July 1, 2013*):

1781 (a) If the investigator fails to eliminate a discriminatory practice  
1782 complained of pursuant to subsection (a) or (b) of section 46a-82, as  
1783 amended by this act, within fifty days of a finding of reasonable cause,  
1784 the investigator shall, within ten days, certify the complaint and the  
1785 results of the investigation to the executive director of the commission  
1786 and to the Attorney General. The investigator's conclusion that  
1787 conciliation has failed shall be conclusive on the issue.

1788 (b) Upon certification of a complaint filed pursuant to subsection (a)  
1789 or (b) of section 46a-82, as amended by this act, or upon the filing of a  
1790 complaint pursuant to subsection (c) of said section, or upon a decision  
1791 to send a complaint directly to public hearing made pursuant to  
1792 subdivision (2) or (3) of subsection (d) of section 46a-83, as amended  
1793 by this act, the [Chief Human Rights Referee] chief referee shall  
1794 appoint [, for a complaint filed pursuant to said subsection (a) or (b), a  
1795 hearing officer, hearing adjudicator or human rights referee, and for a  
1796 complaint filed pursuant to said subsection (c), a hearing officer or  
1797 human rights referee,] a referee to act as a presiding officer to hear the  
1798 complaint. [or] The chief referee may appoint an individual authorized  
1799 by subsection (e) of this section or a referee to conduct settlement  
1800 negotiations. [and shall cause to be issued and served] The chief  
1801 referee shall serve in the name of the commission a [written notice,  
1802 together with a] copy of the complaint, as the same may have been  
1803 amended, requiring the respondent to answer the charges of the  
1804 complaint [at a hearing before the presiding officer or hearing  
1805 adjudicator at a time and place to be specified in the notice] with a  
1806 written notice requiring the respondent to appear at a hearing or  
1807 settlement conference at the commission's administrative office in  
1808 Hartford, unless all parties mutually agree to an alternative location, at  
1809 a date and time specified in such notice. A hearing on a complaint filed  
1810 pursuant to subsection (a) or (b) of section 46a-82, as amended by this

1811 act, shall be commenced by convening a hearing conference not later  
1812 than forty-five days after the certification of the complaint. Such  
1813 hearing shall be a de novo hearing on the merits of the complaint and  
1814 not an appeal of the commission's processing of the complaint prior to  
1815 its certification. A hearing on a complaint filed pursuant to subsection  
1816 (c) of section 46a-82, as amended by this act, shall be commenced by  
1817 convening a hearing conference not later than twenty days after the  
1818 date of notice of such complaint. Hearings shall proceed with  
1819 reasonable dispatch and be concluded in accordance with the  
1820 provisions of section 4-180.

1821 [(c) The place of any hearing may be the office of the commission or  
1822 another place designated by the commission.]

1823 [(d)] (c) The case in support of the complaint shall be presented at  
1824 the hearing by the Attorney General, who shall be counsel for the  
1825 commission, or by a commission legal counsel as provided in section  
1826 46a-55. [, as the case may be.] If the Attorney General or the  
1827 commission legal counsel determines that a material mistake of law or  
1828 fact has been made in the finding of reasonable cause on a complaint  
1829 filed pursuant to subsection (a) or (b) of section 46a-82, as amended by  
1830 this act, or the Attorney General or the commission legal counsel  
1831 determines that a case sent to public hearing pursuant to subsection (d)  
1832 of section 46a-83, as amended by this act, should be further  
1833 investigated, the Attorney General or the commission legal counsel  
1834 may withdraw the certification of the complaint or the decision to send  
1835 the complaint to public hearing and remand the file to the investigator  
1836 for further action. The investigator shall complete any required action  
1837 not later than ninety days after receipt of such file. The complainant  
1838 may be represented by an attorney of the complainant's own choice. If  
1839 the Attorney General or the commission legal counsel [, as the case  
1840 may be,] determines that the interests of the state will not be adversely  
1841 affected, the complainant or the attorney for the complainant shall  
1842 present all or part of the case in support of the complaint. No

1843 commissioner may participate in the deliberations of the presiding  
1844 officer in the case.

1845 [(e)] (d) A [hearing officer, hearing adjudicator, human rights]  
1846 referee or attorney who volunteers service pursuant to subdivision (18)  
1847 of section 46a-54, as amended by this act, may supervise settlement  
1848 endeavors. [, or, in] In employment discrimination cases only, the  
1849 complainant and respondent, with the permission of the [commission]  
1850 chief referee, may engage in alternate dispute resolution endeavors for  
1851 not more than three months. The cost of such alternate dispute  
1852 resolution endeavors shall be borne by the complainant or the  
1853 respondent, or both, and not by the commission. Any endeavors or  
1854 negotiations for conciliation, settlement or alternate dispute resolution  
1855 shall not be received in evidence.

1856 [(f)] (e) The respondent [may] shall file a written answer to the  
1857 complaint under oath and appear at the hearing in person or  
1858 otherwise, with or without counsel, and submit testimony and be fully  
1859 heard. If the respondent fails to file a written answer prior to the  
1860 hearing within the time limits established by regulation adopted by the  
1861 commission in accordance with chapter 54 or fails to appear at the  
1862 hearing or settlement conference after notice in accordance with  
1863 section 4-177, the presiding officer or [hearing adjudicator] a referee or  
1864 an attorney who volunteers services under subsection (d) of this  
1865 section may enter an order of default and order such relief as is  
1866 necessary to eliminate the discriminatory practice and make the  
1867 complainant whole. The commission or the complainant may petition  
1868 the Superior Court for enforcement of any such order for relief  
1869 pursuant to the provisions of section 46a-95, as amended by this act.

1870 [(g)] (f) The presiding officer [or hearing adjudicator] conducting  
1871 any hearing shall permit reasonable amendment to any complaint or  
1872 answer and the testimony taken at the hearing shall be under oath and  
1873 be transcribed at the request of any party.

1874 Sec. 33. Section 46a-86 of the general statutes is repealed and the  
1875 following is substituted in lieu thereof (*Effective July 1, 2013*):

1876 (a) If, upon all the evidence presented at the hearing conducted  
1877 pursuant to section 46a-84, as amended by this act, the presiding  
1878 officer finds that a respondent has engaged in any discriminatory  
1879 practice, the presiding officer shall [state the presiding officer's] make  
1880 written findings of fact and [shall issue and] file with the commission  
1881 and [cause to be served] serve on the respondent an order requiring  
1882 the respondent to (1) cease and desist from the discriminatory practice,  
1883 and [further requiring the respondent to] (2) take such affirmative  
1884 action as [in the judgment of the presiding officer will effectuate] is  
1885 necessary to achieve the purpose of this chapter.

1886 (b) In addition to any other action taken under this section, upon a  
1887 finding of a discriminatory employment practice, the presiding officer  
1888 may order the hiring or reinstatement of [employees] any person, with  
1889 or without back pay, or restoration to membership in any respondent  
1890 labor organization. [, provided, liability] Liability for back pay shall  
1891 not accrue from a date more than two years prior to the filing or  
1892 issuance of the complaint. [and, provided further, interim] Interim  
1893 earnings, including unemployment compensation and welfare  
1894 assistance or amounts which could have been earned with reasonable  
1895 diligence on the part of the person to whom back pay is awarded shall  
1896 be deducted from the amount of back pay to which such person is  
1897 otherwise entitled. The amount of any [such] deduction for interim  
1898 unemployment compensation or welfare assistance shall be paid by  
1899 the respondent to the commission which shall transfer such amount to  
1900 the appropriate state or local agency.

1901 (c) In addition to any other action taken under this section, upon a  
1902 finding of a discriminatory practice prohibited by section 46a-58, as  
1903 amended by this act, 46a-59, as amended by this act, 46a-64, as  
1904 amended by this act, or 46a-64c, as amended by this act, [46a-81b, 46a-  
1905 81d or 46a-81e,] the presiding officer shall determine the damage

1906 suffered by the complainant, which damage shall include, but not be  
1907 limited to, the expense incurred by the complainant for obtaining  
1908 alternate housing or space, storage of goods and effects, moving costs  
1909 and other costs actually incurred by the complainant as a result of such  
1910 discriminatory practice and shall allow reasonable attorney's fees and  
1911 costs. The amount of attorney's fees allowed shall not be contingent  
1912 upon the amount of damages requested by or awarded to the  
1913 complainant.

1914 (d) In addition to any other action taken under this section, upon a  
1915 finding of a discriminatory practice prohibited by section 46a-66, as  
1916 amended by this act, [or 46a-81f,] the presiding officer shall [issue and]  
1917 file with the commission and [cause to be served] serve on the  
1918 respondent an order requiring the respondent to pay the complainant  
1919 the damages resulting from the discriminatory practice.

1920 (e) In addition to any other action taken under this section, upon a  
1921 finding of noncompliance with antidiscrimination statutes or contract  
1922 provisions required under section 4a-60, as amended by this act, [or 4a-  
1923 60a] or the provisions of sections 46a-68c to 46a-68f, inclusive, the  
1924 presiding officer shall [issue and] file with the commission and [cause  
1925 to be served] serve on the respondent an order with respect to any  
1926 remedial action imposed [by the presiding officer] pursuant to  
1927 subsection (c) or (d) of section 46a-56, as amended by this act.

1928 (f) If, upon all the evidence and after a complete hearing, the  
1929 presiding officer finds that the respondent has not engaged in any  
1930 alleged discriminatory practice, the presiding officer shall [state the  
1931 presiding officer's] make written findings of fact and shall [issue and]  
1932 file with the commission and [cause to be served] serve on the  
1933 respondent an order dismissing the complaint.

1934 (g) Any payment received by a complainant under this chapter or  
1935 under any equivalent federal antidiscrimination law, either as a  
1936 settlement of a claim or as an award made in a judicial or

1937 administrative proceeding, shall not be considered as income,  
1938 resources or assets for the purpose of determining the eligibility of or  
1939 amount of assistance to be received by such person in the month of  
1940 receipt or the three months following receipt under the state  
1941 supplement program, Medicaid or any other medical assistance  
1942 program, temporary family assistance program, state-administered  
1943 general assistance program, or the temporary assistance for needy  
1944 families program. After such time period, any remaining funds shall  
1945 be subject to state and federal laws governing such programs,  
1946 including, but not limited to, provisions concerning an individual  
1947 development [accounts] account, as defined in section 31-51ww.

1948 Sec. 34. Section 46a-87 of the general statutes is repealed and the  
1949 following is substituted in lieu thereof (*Effective July 1, 2013*):

1950 (a) Contumacy or refusal to obey a subpoena issued pursuant to this  
1951 chapter shall constitute contempt punishable, upon the application of  
1952 the authority issuing such subpoena, by the superior court for the  
1953 judicial district of Hartford, the [Superior Court for the] judicial district  
1954 in which the hearing is held or the investigation is conducted or the  
1955 judicial district in which the witness resides or transacts business. An  
1956 objection that has not been raised before the commission to defeat or  
1957 excuse compliance with the subpoena may not be presented to or  
1958 relied on by the court.

1959 (b) No person may be excused from [attending and] testifying or  
1960 from producing records [, correspondence, documents] or other  
1961 evidence in obedience to a subpoena [,] on the ground that the  
1962 testimony or evidence required of [him] such person may tend to  
1963 incriminate [him] such person or subject [him] such person to a  
1964 penalty or forfeiture. [, but no person] No person, after having claimed  
1965 the privilege against self-incrimination, may be prosecuted or  
1966 subjected to any penalty [or forfeiture for or on account of any  
1967 transaction, matter or thing concerning which he is compelled, after  
1968 having claimed his privilege against self-incrimination, to testify or



1969 produce evidence] for any matter revealed by such testimony or  
1970 production, provided such testimony or production is compelled by  
1971 this section, except that [such person so testifying shall not] no such  
1972 person shall be exempt from prosecution and punishment for perjury  
1973 committed in so testifying. The immunity [herein] provided in this  
1974 subsection shall extend only to natural persons [so] compelled to  
1975 testify or produce records or other evidence.

1976 Sec. 35. Section 46a-88 of the general statutes is repealed and the  
1977 following is substituted in lieu thereof (*Effective July 1, 2013*):

1978 (a) Upon the failure of any person to answer interrogatories issued  
1979 pursuant to subsection (11) of section 46a-54, as amended by this act,  
1980 the commission may file a petition with the interrogatories attached  
1981 with the [Superior Court of] superior court for the judicial district of  
1982 Hartford, the judicial district in which the violation is alleged to have  
1983 occurred or [where] the judicial district in which such person resides  
1984 or transacts business, requesting the court to order that an answer be  
1985 filed.

1986 (b) The commission shall [cause] serve a copy of the petition  
1987 provided for in subsection (a) of this section [to be sent] by registered  
1988 or certified mail to the person from whom such answers are sought or  
1989 [his] such person's legal representative.

1990 (c) The court shall assume jurisdiction over the proceedings  
1991 provided for in this section and [may] shall, after hearing [,] or in the  
1992 absence of objection, enter an order which it deems appropriate. An  
1993 objection that has not been raised before the commission to defeat or  
1994 excuse compliance with the interrogatories may not be presented to or  
1995 relied on by the court.

1996 [(d) The proceedings provided for in this section shall conform to  
1997 the rules of practice of the Superior Court.]

1998 Sec. 36. Section 46a-89 of the general statutes is repealed and the

1999 following is substituted in lieu thereof (*Effective July 1, 2013*):

2000 (a) (1) Whenever a complaint [is filed with or by the commission]  
2001 filed pursuant to section 46a-82, as amended by this act, [alleging]  
2002 alleges a violation of section 46a-60, as amended by this act, or [46a-  
2003 81c, and a commissioner believes, upon review and the  
2004 recommendation of the investigator assigned,] section 9 of this act, and  
2005 the commission believes that equitable relief is required to prevent  
2006 irreparable harm to the complainant, the [commissioner] commission  
2007 may bring a petition [in equity] in the superior court for the judicial  
2008 district of Hartford, the judicial district in which the discriminatory  
2009 practice [which] that is the subject of the complaint occurred or the  
2010 judicial district in which the respondent resides, provided this  
2011 subdivision shall not apply to complaints against employers with less  
2012 than fifty employees.

2013 (2) The petition shall seek appropriate temporary injunctive relief  
2014 against the respondent pending final disposition of the complaint  
2015 pursuant to the procedures set forth in this chapter. The injunctive  
2016 relief may include an order temporarily restraining the respondent  
2017 from doing any act that would render ineffectual any order a presiding  
2018 officer may render with respect to the complaint.

2019 (3) Upon service on the respondent of notice pursuant to section  
2020 46a-89a, as amended by this act, the respondent shall be temporarily  
2021 restrained from taking any action that would render ineffectual the  
2022 temporary injunctive relief [prayed for] requested in the petition,  
2023 provided nothing in this section shall be construed to prevent the  
2024 respondent from having any employment duties [,] enjoined under  
2025 this section and section 46a-89a, as amended by this act, from being  
2026 carried out by another employee and the notice shall so provide.

2027 (b) (1) Whenever a complaint filed pursuant to section 46a-82, as  
2028 amended by this act, alleges a violation of section 46a-64, as amended  
2029 by this act, or 46a-64c, as amended by this act, [46a-81d or 46a-81e, and

2030 a commissioner] and the commission believes that injunctive relief is  
2031 required or that the imposition of punitive damages or a civil penalty  
2032 would be appropriate, the commission may bring a petition in the  
2033 superior court for the judicial district in [which] that the  
2034 discriminatory practice which is the subject of the complaint occurred  
2035 or the judicial district in which the respondent resides.

2036 (2) The petition shall seek: (A) Appropriate injunctive relief,  
2037 including temporary or permanent orders or decrees restraining and  
2038 enjoining the respondent from selling or renting to anyone other than  
2039 the complainant or otherwise making unavailable to the complainant  
2040 any dwelling or commercial property with respect to which the  
2041 complaint is made, pending the final determination of such complaint  
2042 by the commission or such petition by the court; (B) an award of  
2043 damages based on the remedies available under subsection (c) of  
2044 section 46a-86, as amended by this act; (C) an award of punitive  
2045 damages payable to the complainant, not to exceed fifty thousand  
2046 dollars; (D) a civil penalty payable to the state against the respondent  
2047 to vindicate the public interest: (i) In an amount not exceeding ten  
2048 thousand dollars, if the respondent has not been adjudged to have  
2049 committed any prior discriminatory housing practice; (ii) in an amount  
2050 not exceeding twenty-five thousand dollars, if the respondent has been  
2051 adjudged to have committed one other discriminatory housing  
2052 practice during the five-year period prior to the date of the filing of  
2053 this complaint; and (iii) in an amount not exceeding fifty thousand  
2054 dollars, if the respondent has been adjudged to have committed two or  
2055 more discriminatory housing practices during the seven-year period  
2056 prior to the date of the filing of the complaint; except that if the acts  
2057 constituting the discriminatory housing practice that is the object of the  
2058 complaint are committed by the same natural person who has been  
2059 previously adjudged to have committed acts constituting a  
2060 discriminatory housing practice, then the civil penalties set forth in  
2061 clauses (ii) and (iii) of this subparagraph may be imposed without  
2062 regard to the period of time within which any subsequent

2063 discriminatory housing practice occurred; or (E) two or more of such  
2064 remedies.

2065 (3) Upon service on the respondent of notice pursuant to section  
2066 46a-89a, as amended by this act, the respondent shall be temporarily  
2067 restrained from selling or renting the dwelling or commercial property  
2068 which is the subject of the complaint to anyone other than the  
2069 complainant, or from otherwise making such dwelling or commercial  
2070 property unavailable to the complainant, until the court or judge has  
2071 decided the petition for temporary injunctive relief and the notice shall  
2072 so provide.

2073 Sec. 37. Section 46a-89a of the general statutes is repealed and the  
2074 following is substituted in lieu thereof (*Effective July 1, 2013*):

2075 (a) The [court, or any judge of the court when such court is not  
2076 actually in session,] Superior Court may grant an injunction  
2077 [forthwith] immediately, if the circumstances of the case demand it, or  
2078 the court [or judge] may cause immediate notice of the petition to be  
2079 given to the adverse party [, that he may] to show cause why such  
2080 injunction should not be granted. [; but no] No temporary injunction  
2081 may be granted without notice to the adverse party unless it clearly  
2082 appears from the specific facts shown by affidavit or by verified  
2083 complaint that irreparable loss or damage will result to the  
2084 complainant before the matter can be heard.

2085 (b) The court, [or any judge thereof,] after hearing, shall issue a  
2086 temporary injunction upon a finding that irreparable loss or damage  
2087 will result to the complainant in that (1) there is a substantial  
2088 probability of loss of meaningful relief including but not limited to the  
2089 availability of an employment opportunity or the rental or sale of a  
2090 dwelling or commercial property, or (2) there is a substantial  
2091 probability of interference with the ability of the commission to  
2092 provide meaningful relief as authorized by this chapter.

2093 (c) Upon rendering a decision in favor of the commission on the  
2094 petition for temporary injunctive relief, the court [or judge] shall  
2095 simultaneously enter an order granting temporary injunctive relief and  
2096 such other relief as deemed necessary and remand the complaint to the  
2097 commission for further proceedings pursuant to this chapter.

2098 (d) Upon rendering a decision in favor of the respondent on the  
2099 petition for temporary injunctive relief, the court [or judge] shall  
2100 simultaneously enter an order dissolving any injunctive relief, order,  
2101 decree, temporary relief or restraining order [theretofore] previously  
2102 issued [against the respondent in the matter] and remand the matter to  
2103 the commission.

2104 (e) Commencement of proceedings pursuant to section 46a-89, as  
2105 amended by this act, this section or section 46a-90a, as amended by  
2106 this act, shall not bar the commission from processing the complaint  
2107 pursuant to the procedures set forth in this chapter.

2108 Sec. 38. Section 46a-90a of the general statutes is repealed and the  
2109 following is substituted in lieu thereof (*Effective July 1, 2013*):

2110 (a) The [chairperson of the commission] chief referee shall schedule  
2111 a date for a hearing pursuant to section 46a-84, as amended by this act,  
2112 to be held within forty-five days of any temporary injunctive relief or  
2113 restraining order issued pursuant to section 46a-89a, as amended by  
2114 this act. Such temporary injunctive relief or restraining order shall  
2115 remain in effect until the presiding officer renders [his] a decision on  
2116 the complaint. If the commission does not conduct its hearing  
2117 procedure with reasonable [dispatch] speed, the court, on the motion  
2118 of the respondent and for good cause shown, shall remove such  
2119 temporary injunction and assume jurisdiction of all civil proceedings  
2120 arising out of the complaint and shall set the matter for hearing on the  
2121 merits. The presiding officer shall render [his] a decision within twenty  
2122 days after the close of evidence and the filing of briefs.

2123 (b) When the presiding officer finds that the respondent has  
2124 engaged in any discriminatory practice prohibited by section 46a-60, as  
2125 amended by this act, 46a-64, as amended by this act, 46a-64c, as  
2126 amended by this act, [46a-81c, 46a-81d or 46a-81e] or section 9 of this  
2127 act and grants relief on the complaint [, which relief requires that such]  
2128 requiring that a temporary injunction remain in effect, the commission  
2129 [chairperson] may, through the procedure outlined in subsection (a) of  
2130 section 46a-95, as amended by this act, petition the court which  
2131 granted the original temporary injunction to make the injunction  
2132 permanent.

2133 (c) Upon issuance of a permanent injunction, the case shall be  
2134 returned to the commission for such further action as is authorized by  
2135 this chapter.

2136 (d) Any temporary injunction issued under [the provisions of]  
2137 section 46a-89a, as amended by this act, shall remain in effect during  
2138 any appeal under section 46a-94a, as amended by this act, or any  
2139 enforcement procedure under section 46a-95, as amended by this act,  
2140 unless removed by the court. [or a judge thereof.]

2141 Sec. 39. Section 46a-94 of the general statutes is repealed and the  
2142 following is substituted in lieu thereof (*Effective July 1, 2013*):

2143 (a) An appeal to the Appellate Court shall lie from any judgment,  
2144 injunctive relief, order or decree entered pursuant to section 46a-89, as  
2145 amended by this act, 46a-89a, as amended by this act, or 46a-90a, as  
2146 amended by this act.

2147 (b) In any appeal to the Appellate Court under [the provisions of]  
2148 this section, any judge of the Appellate Court, on written application,  
2149 after oral hearing: (1) May order a party who has filed a notice of intent  
2150 to appeal either to appeal or withdraw such notice of appeal, and (2)  
2151 may make such orders as will expedite the appeal.

2152 Sec. 40. Section 46a-94a of the general statutes is repealed and the

2153 following is substituted in lieu thereof (*Effective July 1, 2013*):

2154 (a) The [Commission on Human Rights and Opportunities]  
2155 commission, any respondent or any complainant aggrieved by a final  
2156 order of a presiding officer [or any complainant] may appeal to the  
2157 Superior Court in accordance with section 4-183. Any complainant  
2158 may appeal to the Superior Court in accordance with section 4-183 if  
2159 the complainant is aggrieved by (1) the dismissal of [his] a complaint  
2160 [by the commission] for failure to attend a mandatory mediation  
2161 session as provided in subsection [(c)] (d) of section 46a-83, as  
2162 amended by this act, (2) a finding of no reasonable cause, as provided  
2163 in subsection [(e)] (f) of [said] section 46a-83, as amended by this act, or  
2164 (3) a rejection of reconsideration, [of any dismissal] as provided in  
2165 subsection [(f)] (g) of [said] section 46a-83, as amended by this act. [,  
2166 may appeal therefrom in accordance with section 4-183. The court on  
2167 appeal shall also have jurisdiction to grant to the commission,  
2168 respondent or complainant such temporary relief or restraining order  
2169 as it deems just and suitable, and in like manner to make and enter a  
2170 decree enforcing or modifying and enforcing as so modified or setting  
2171 aside, in whole or in part, the order sought to be reviewed.] The court  
2172 shall conduct the appeal in accordance with section 4-183.

2173 (b) Notwithstanding the provisions of subsection (a) of this section,  
2174 a complainant may not appeal the dismissal of [his] any complaint if  
2175 [he] such complainant has been granted a release pursuant to section  
2176 46a-101, as amended by this act.

2177 (c) The commission on its own motion may, whenever justice so  
2178 requires, reopen any matter previously closed [by the commission] in  
2179 accordance with [the provisions of] this subsection, provided such  
2180 matter has not been appealed to the Superior Court pursuant to  
2181 subsection (a) of this section. [4-183.] Notice of such reopening shall be  
2182 given to all parties. A complainant or respondent may, for good cause  
2183 shown, in the interest of justice, apply in writing for the reopening of a  
2184 previously closed proceeding, provided such application is filed with

2185 the executive director of the commission within two years of the  
2186 commission's final decision and the complainant has (1) not been  
2187 issued a release of jurisdiction pursuant to section 46a-83a, as amended  
2188 by this act, and filed a civil action, or (2) requested and received a  
2189 release of jurisdiction from the commission pursuant to section 46a-  
2190 101, as amended by this act.

2191 (d) The standards for reopening a matter may include, but are not  
2192 limited to: (1) A material mistake of fact or law has occurred; (2) the  
2193 finding is arbitrary or capricious; (3) the finding is clearly erroneous in  
2194 view of the reliable, probative and substantial evidence on the whole  
2195 record; and (4) new evidence has been discovered which materially  
2196 affects the merits of the case and which, for good reasons, was not  
2197 presented during the investigation.

2198 Sec. 41. Subsection (a) of section 46a-95 of the general statutes is  
2199 repealed and the following is substituted in lieu thereof (*Effective July*  
2200 *1, 2013*):

2201 (a) The commission, through the Attorney General or a commission  
2202 legal counsel, or the complainant may petition the superior court for  
2203 the judicial district of Hartford, the judicial district [where] in which  
2204 any discriminatory practice occurred or the judicial district in which  
2205 any person charged with a discriminatory practice resides or transacts  
2206 business for the enforcement of any order issued by a presiding officer  
2207 under this chapter and for appropriate temporary relief [of] or a  
2208 restraining order.

2209 Sec. 42. Section 46a-97 of the general statutes is repealed and the  
2210 following is substituted in lieu thereof (*Effective July 1, 2013*):

2211 (a) Any employer, employment agency or labor organization  
2212 [which] that fails to post such notices of statutory provisions as the  
2213 commission may require pursuant to subsection (13) or (15) of section  
2214 46a-54, as amended by this act, shall be subject to a fine of not more



2215 than two hundred fifty dollars.

2216 (b) Any person who fails to post such notices of statutory provisions  
2217 as the commission may require pursuant to subsection (14) of section  
2218 46a-54, as amended by this act, shall be fined not more than two  
2219 hundred fifty dollars.

2220 Sec. 43. Section 46a-98 of the general statutes is repealed and the  
2221 following is substituted in lieu thereof (*Effective July 1, 2013*):

2222 (a) In lieu of, but not in addition to, filing a complaint [with the  
2223 Commission on Human Rights and Opportunities] pursuant to section  
2224 46a-82, as amended by this act, any person claiming to be aggrieved by  
2225 a violation of section 46a-66, as amended by this act, [or 46a-81f] may  
2226 bring an action under this section against a creditor [, as defined in  
2227 section 46a-65,] in the superior court for the judicial district in which  
2228 such aggrieved person resides or in which the alleged violation took  
2229 place.

2230 (b) Any [such] creditor who fails to comply with any requirement of  
2231 section 46a-66, as amended by this act, [or 46a-81f] or the regulations  
2232 adopted pursuant to section 46a-67, as amended by this act, shall be  
2233 liable to an aggrieved person in an amount equal to the sum of any  
2234 actual damages sustained by such person.

2235 (c) Any [such] creditor who fails to comply with any requirement of  
2236 section 46a-66, as amended by this act, [or 46a-81f] or the regulations  
2237 adopted pursuant to section 46a-67, as amended by this act, shall be  
2238 liable to an aggrieved person for punitive damages in an amount not  
2239 greater than one thousand dollars, as determined by the court, in  
2240 addition to any actual damages provided in subsection (b) of this  
2241 section.

2242 (d) Any [such] creditor who fails to comply with any requirement of  
2243 section 46a-66, as amended by this act, [or 46a-81f] or the regulations  
2244 adopted pursuant to section 46a-67, as amended by this act, may be

2245 liable for punitive damages in the case of a class action in such amount  
2246 as the court may allow, provided the total recovery of punitive  
2247 damages shall not exceed the lesser of five thousand dollars or one per  
2248 cent of the net worth of the creditor. In determining the amount of  
2249 award in any class action, the court shall consider, among other  
2250 relevant factors, the amount of any actual damages awarded, the  
2251 frequency and persistence of failures of compliance by the creditor, the  
2252 resources of the creditor, the number of persons adversely affected [,]  
2253 and the extent to which the creditor's failure of compliance was  
2254 intentional.

2255 (e) No action may be brought under this section except within one  
2256 year from the date of the occurrence of the violation.

2257 Sec. 44. Section 46a-98a of the general statutes is repealed and the  
2258 following is substituted in lieu thereof (*Effective July 1, 2013*):

2259 Any person claiming to be aggrieved by a violation of section 46a-  
2260 64c, as amended by this act, [or 46a-81e] or by a breach of a conciliation  
2261 agreement entered into pursuant to this chapter [,] may bring an action  
2262 in the Superior Court, or the housing session of said court, if  
2263 appropriate, within one year of the date of the alleged discriminatory  
2264 practice or of a breach of a conciliation agreement, [entered into  
2265 pursuant to this chapter.] No action pursuant to this section may be  
2266 brought [in the Superior Court] regarding the alleged discriminatory  
2267 practice after the commission has obtained a conciliation agreement  
2268 pursuant to section 46a-83, as amended by this act, or commenced a  
2269 hearing pursuant to section 46a-84, as amended by this act, except for  
2270 an action to enforce the [conciliation] agreement. The court shall have  
2271 the power to grant relief, by injunction or otherwise, as it deems just  
2272 and suitable. [In addition to the penalties provided for under  
2273 subsection (g) of section 46a-64c or subsection (f) of section 46a-81e,  
2274 the] The court may grant any relief which a presiding officer may grant  
2275 [in a proceeding] under section 46a-86, as amended by this act, or  
2276 which the court may grant in a proceeding under section 46a-89, as

2277 amended by this act. The commission, through commission legal  
2278 counsel or the Attorney General, may intervene as a matter of right in  
2279 any action brought pursuant to this section without permission of the  
2280 court or the parties.

2281 Sec. 45. Section 46a-99 of the general statutes is repealed and the  
2282 following is substituted in lieu thereof (*Effective July 1, 2013*):

2283 Any person claiming to be aggrieved by a violation of any provision  
2284 of sections 46a-70 to 46a-78, inclusive, as amended by this act, [or  
2285 sections 46a-81h to 46a-81o, inclusive,] may petition the Superior Court  
2286 for appropriate relief and [said] the court shall have the power to grant  
2287 such relief, by injunction or otherwise, as it deems just and suitable.

2288 Sec. 46. Section 46a-100 of the general statutes is repealed and the  
2289 following is substituted in lieu thereof (*Effective July 1, 2013*):

2290 Any person who has [timely] filed a complaint with the  
2291 [Commission on Human Rights and Opportunities] commission in  
2292 accordance with section 46a-82, as amended by this act, and who has  
2293 obtained a release [from the commission] of jurisdiction in accordance  
2294 with section 46a-83a, as amended by this act, or 46a-101, as amended  
2295 by this act, may also bring an action in the superior court for the  
2296 judicial district in which the discriminatory practice is alleged to have  
2297 occurred, [or] the judicial district in which the respondent transacts  
2298 business or the judicial district in which the complainant resides,  
2299 except any action involving a state agency or official may be brought in  
2300 the superior court for the judicial district of Hartford.

2301 Sec. 47. Section 46a-101 of the general statutes is repealed and the  
2302 following is substituted in lieu thereof (*Effective July 1, 2013*):

2303 (a) No action may be brought in accordance with section 46a-100, as  
2304 amended by this act, unless the complainant has received a release of  
2305 jurisdiction from the commission in accordance with the provisions of  
2306 this section.

2307 (b) The complainant and the respondent [, by themselves or their  
2308 attorneys,] may jointly request that the complainant receive a release  
2309 from the commission at any time from the date of filing the complaint.  
2310 The complainant [or the complainant's attorney] may request a release  
2311 from the commission if the complaint is still pending after the  
2312 expiration of one hundred eighty days from the date of its filing or  
2313 after a merit assessment review in accordance with subsection [(b)] (c)  
2314 of section 46a-83, as amended by this act, whichever is earlier. The  
2315 executive director or the executive director's designee shall conduct an  
2316 expedited merit assessment review in accordance with subsection [(b)]  
2317 (c) of section 46a-83, as amended by this act, if the commission receives  
2318 a request for a release of jurisdiction from the complainant [or the  
2319 complainant's attorney] prior to one hundred eighty days from the  
2320 date a complaint is filed.

2321 (c) The executive director [of the commission] or the executive  
2322 director's designee shall grant a release of jurisdiction, allowing the  
2323 complainant to bring a civil action, within ten business days after  
2324 receipt of the request for the release, except that if a case is scheduled  
2325 for public hearing, the executive director or the executive director's  
2326 designee may decline to issue a release. The commission may defer  
2327 acting on a request for a release for thirty days if the executive director  
2328 [of the commission, or his] or the executive director's designee [ ]  
2329 certifies that [he has] there is reason to believe that the complaint may  
2330 be resolved within that period.

2331 (d) Upon granting a release, the commission shall dismiss or  
2332 otherwise administratively dispose of the discriminatory practice  
2333 complaint pending with the commission without cost or penalty  
2334 assessed to any party.

2335 (e) Any action brought by the complainant in accordance with  
2336 section 46a-100, as amended by this act, shall be brought within ninety  
2337 days of the receipt of the release from the commission.

2338 Sec. 48. Section 46a-102 of the general statutes is repealed and the  
2339 following is substituted in lieu thereof (*Effective July 1, 2013*):

2340 Any action brought in accordance with section 46a-100, as amended  
2341 by this act, shall be brought within two years of the date of filing of the  
2342 complaint with the commission. [, except that an action may be  
2343 brought within six months of October 1, 1991, with respect to an  
2344 alleged violation provided a complaint concerning such violation has  
2345 been pending with the commission for more than one year as of  
2346 October 1, 1991, unless the complaint has been scheduled for a  
2347 hearing.]

2348 Sec. 49. Section 46a-103 of the general statutes is repealed and the  
2349 following is substituted in lieu thereof (*Effective July 1, 2013*):

2350 The complainant [or his attorney] shall serve a copy of the  
2351 complaint in an action brought in accordance with section 46a-100, as  
2352 amended by this act, on the executive director of the commission at the  
2353 same time all other parties [in such action] are served. Service on the  
2354 executive director of the commission shall be for the purpose of  
2355 providing legal notice of the action and shall not [thereby] make the  
2356 commission a necessary party. [to the action.] The commission,  
2357 through its counsel or the Attorney General, may intervene as a matter  
2358 of right in any action brought in accordance with section 46a-100, as  
2359 amended by this act, without permission of the court or the parties.

2360 Sec. 50. Section 53-37 of the general statutes is repealed and the  
2361 following is substituted in lieu thereof (*Effective July 1, 2013*):

2362 Any person who, by his or her advertisement, ridicules or holds up  
2363 to contempt any person or class of persons [, on account] because of  
2364 the [creed, religion, color, denomination, nationality or] race, color,  
2365 religion, age, sex, gender identity or expression, sexual orientation,  
2366 marital status, national origin, ancestry, mental disability, intellectual  
2367 disability, learning disability or physical disability of such person or

2368 class of persons, shall be guilty of a class D misdemeanor.

2369 Sec. 51. Subsection (b) of section 32-235 of the general statutes is  
2370 repealed and the following is substituted in lieu thereof (*Effective July*  
2371 *1, 2013*):

2372 (b) The proceeds of the sale of said bonds, to the extent of the  
2373 amount stated in subsection (a) of this section, shall be used by the  
2374 Department of Economic and Community Development (1) for the  
2375 purposes of sections 32-220 to 32-234, inclusive, including economic  
2376 cluster-related programs and activities, and for the Connecticut job  
2377 training finance demonstration program pursuant to sections 32-23uu  
2378 and 32-23vv, provided (A) three million dollars shall be used by said  
2379 department solely for the purposes of section 32-23uu and not more  
2380 than five million two hundred fifty thousand dollars of the amount  
2381 stated in said subsection (a) may be used by said department for the  
2382 purposes of section 31-3u, (B) not less than one million dollars shall be  
2383 used for an educational technology grant to the deployment center  
2384 program and the nonprofit business consortium deployment center  
2385 approved pursuant to section 32-41l, (C) not less than two million  
2386 dollars shall be used by said department for the establishment of a  
2387 pilot program to make grants to businesses in designated areas of the  
2388 state for construction, renovation or improvement of small  
2389 manufacturing facilities, provided such grants are matched by the  
2390 business, a municipality or another financing entity. The  
2391 Commissioner of Economic and Community Development shall  
2392 designate areas of the state where manufacturing is a substantial part  
2393 of the local economy and shall make grants under such pilot program  
2394 which are likely to produce a significant economic development  
2395 benefit for the designated area, (D) five million dollars may be used by  
2396 said department for the manufacturing competitiveness grants  
2397 program, (E) one million dollars shall be used by said department for  
2398 the purpose of a grant to the Connecticut Center for Advanced  
2399 Technology, for the purposes of subdivision (5) of subsection (a) of

2400 section 32-7f, (F) fifty million dollars shall be used by said department  
2401 for the purpose of grants to the United States Department of the Navy,  
2402 the United States Department of Defense or eligible applicants for  
2403 projects related to the enhancement of infrastructure for long-term, on-  
2404 going naval operations at the United States Naval Submarine Base-  
2405 New London, located in Groton, which will increase the military value  
2406 of said base. Such projects shall not be subject to the provisions of  
2407 [sections] section 4a-60, as amended by this act, [and 4a-60a,] (G) two  
2408 million dollars shall be used by said department for the purpose of a  
2409 grant to the Connecticut Center for Advanced Technology, Inc., for  
2410 manufacturing initiatives, including aerospace and defense, and (H)  
2411 four million dollars shall be used by said department for the purpose  
2412 of a grant to companies adversely impacted by the construction at the  
2413 Quinnipiac Bridge, where such grant may be used to offset the increase  
2414 in costs of commercial overland transportation of goods or materials  
2415 brought to the port of New Haven by ship or vessel, and (2) for the  
2416 purposes of the small business assistance program established  
2417 pursuant to section 32-9yy, provided fifteen million dollars shall be  
2418 deposited in the small business assistance account established  
2419 pursuant to said section 32-9yy. The provisions of sections 32-220 to  
2420 32-234, inclusive, shall not apply to such funds authorized pursuant to  
2421 this subdivision.

2422 Sec. 52. Section 45a-726a of the general statutes is repealed and the  
2423 following is substituted in lieu thereof (*Effective July 1, 2013*):

2424 Notwithstanding any provision of [sections 4a-60a and 46a-81a to  
2425 46a-81p, inclusive] section 4a-60, as amended by this act, and chapter  
2426 814c, the Commissioner of Children and Families or a child-placing  
2427 agency may consider the sexual orientation of the prospective adoptive  
2428 or foster parent or parents when placing a child for adoption or in  
2429 foster care. Nothing in this section shall be deemed to require the  
2430 Commissioner of Children and Families or a child-placing agency to  
2431 place a child for adoption or in foster care with a prospective adoptive

2432 or foster parent or parents who are homosexual or bisexual.

2433 Sec. 53. Section 46a-68b of the general statutes is repealed and the  
2434 following is substituted in lieu thereof (*Effective July 1, 2013*):

2435 As used in this section and sections 4a-60, as amended by this act,  
2436 [4a-60a,] 4a-60g, as amended by this act, 4a-62, 46a-56, as amended by  
2437 this act, and 46a-68c to 46a-68k, inclusive: "Public works contract"  
2438 means any agreement between any individual, firm or corporation and  
2439 the state or any political subdivision of the state other than a  
2440 municipality for construction, rehabilitation, conversion, extension,  
2441 demolition or repair of a public building, highway or other changes or  
2442 improvements in real property, or which is financed in whole or in  
2443 part by the state, including, but not limited to, matching expenditures,  
2444 grants, loans, insurance or guarantees.

2445 Sec. 54. Subsection (b) of section 1-1g of the general statutes is  
2446 repealed and the following is substituted in lieu thereof (*Effective July*  
2447 *1, 2013*):

2448 (b) For the purposes of sections 4a-60, as amended by this act, 4b-28,  
2449 4b-31, 8-2g, 8-3e, 8-119t, 9-159s, 10-91f, 12-81, 17a-210, 17a-210b, 17a-  
2450 215c, 17a-217 to 17a-218a, inclusive, 17a-220, 17a-226 to 17a-227a,  
2451 inclusive, 17a-228, 17a-231 to 17a-233, inclusive, 17a-247 to 17a-247b,  
2452 inclusive, 17a-270, 17a-272 to 17a-274, inclusive, 17a-276, 17a-277, 17a-  
2453 281, 17a-282, 17a-580, 17a-593, 17a-594, 17a-596, 17b-226, 19a-638, 45a-  
2454 598, 45a-669, 45a-670, 45a-672, 45a-674, 45a-676, 45a-677, 45a-678, 45a-  
2455 679, 45a-680, 45a-681, 45a-682, 45a-683, 46a-11a to 46a-11g, inclusive,  
2456 46a-51, as amended by this act, 46a-60, as amended by this act, 46a-64,  
2457 as amended by this act, [46a-64b,] 46a-66, as amended by this act, 46a-  
2458 70, as amended by this act, 46a-71, as amended by this act, 46a-72, as  
2459 amended by this act, 46a-73, as amended by this act, 46a-75, as  
2460 amended by this act, 46a-76, as amended by this act, 46b-84, as  
2461 amended by this act, 52-146o, 53a-46a, 53a-59a, 53a-60b, 53a-60c, 53a-  
2462 61a, 53a-181i, 53a-320, 53a-321, 53a-322, 53a-323, 54-56d and 54-250,



2463 "intellectual disability" has the same meaning as "mental retardation"  
2464 as defined in subsection (a) of this section.

2465 Sec. 55. Subsection (a) of section 17a-210d of the general statutes is  
2466 repealed and the following is substituted in lieu thereof (*Effective July*  
2467 *1, 2013*):

2468 (a) (1) Wherever the words "the mentally retarded" are used in the  
2469 following general statutes, "persons with intellectual disability" or  
2470 "individuals with intellectual disability" shall be substituted in lieu  
2471 thereof; (2) wherever the words "mentally retarded", "mentally  
2472 retarded person" or "mentally retarded persons" are used in the  
2473 following general statutes, the words "intellectual disability", "person  
2474 with intellectual disability" or "persons with intellectual disability"  
2475 shall be substituted in lieu thereof; and (3) wherever the words "mental  
2476 retardation" are used in the following general statutes, the words  
2477 "intellectual disability" shall be substituted in lieu thereof: 4a-60, as  
2478 amended by this act, 4b-31, 8-2g, 8-3e, 9-159s, 10-91f, 17a-593, 17a-594,  
2479 17a-596, 45a-598, 45a-669, 45a-672, 45a-676, 45a-677, 45a-678, 45a-679,  
2480 45a-680, 45a-681, 45a-682, 45a-683, 46a-51, as amended by this act, 46a-  
2481 60, as amended by this act, 46a-64, as amended by this act, [46a-64b,]  
2482 46a-66, as amended by this act, 46a-70, as amended by this act, 46a-71,  
2483 as amended by this act, 46a-72, as amended by this act, 46a-73, as  
2484 amended by this act, 46a-75, as amended by this act, 46a-76, as  
2485 amended by this act, 46b-84, as amended by this act, 52-146o, 53a-46a,  
2486 53a-181i and 54-250.

2487 Sec. 56. Subdivision (1) of subsection (a) of section 47a-23c of the  
2488 general statutes is repealed and the following is substituted in lieu  
2489 thereof (*Effective July 1, 2013*):

2490 (a) (1) Except as provided in subdivision (2) of this subsection, this  
2491 section applies to any tenant who resides in a building or complex  
2492 consisting of five or more separate dwelling units or who resides in a  
2493 mobile manufactured home park and who is either: (A) Sixty-two

2494 years of age or older, or whose spouse, sibling, parent or grandparent  
2495 is sixty-two years of age or older and permanently resides with that  
2496 tenant, or (B) a person with a physical or mental disability, as defined  
2497 in [subdivision (8) of section 46a-64b] section 46a-51, as amended by  
2498 this act, or whose spouse, sibling, child, parent or grandparent is a  
2499 person with a physical or mental disability who permanently resides  
2500 with that tenant, but only if such disability can be expected to result in  
2501 death or to last for a continuous period of at least twelve months.

2502 Sec. 57. Subsection (b) of section 5-248a of the general statutes is  
2503 repealed and the following is substituted in lieu thereof (*Effective July*  
2504 *1, 2013*):

2505 (b) The leave of absence benefits granted by this section shall be in  
2506 addition to any other paid leave benefits and benefits provided under  
2507 subdivision [(7)] (5) of subsection (a) of section 46a-60, as amended by  
2508 this act, which are otherwise available to the employee.

2509 Sec. 58. Section 19a-490s of the general statutes is repealed and the  
2510 following is substituted in lieu thereof (*Effective July 1, 2013*):

2511 Except as provided in this section, a health care employer shall  
2512 report to such employer's local law enforcement agency any act which  
2513 may constitute an assault or related offense, as described in part V of  
2514 chapter 952, against a health care employee acting in the performance  
2515 of his or her duties. A health care employer shall make such report not  
2516 later than twenty-four hours after the occurrence of the act. The health  
2517 care employer shall provide the names and addresses of those  
2518 involved with such act to the local law enforcement agency. A health  
2519 care employer shall not be required to report any act which may  
2520 constitute assault or a related offense if the act was committed by a  
2521 person with a disability as described in subdivision [(13), (15) or (20)]  
2522 (30), (36) or (41) of section 46a-51, as amended by this act, whose  
2523 conduct is a clear and direct manifestation of the disability.

2524 Sec. 59. Subsection (c) of section 46b-84 of the general statutes is  
2525 repealed and the following is substituted in lieu thereof (*Effective July*  
2526 *1, 2013*):

2527 (c) The court may make appropriate orders of support of any child  
2528 with intellectual disability, as defined in section 1-1g, [or] a mental  
2529 disability, as defined in subdivision (36) of section 46a-51, as amended  
2530 by this act, or a physical disability, as defined in subdivision [(15)] (41)  
2531 of section 46a-51, as amended by this act, who resides with a parent  
2532 and is principally dependent upon such parent for maintenance until  
2533 such child attains the age of twenty-one. The child support guidelines  
2534 established pursuant to section 46b-215a shall not apply to orders  
2535 entered under this subsection. The provisions of this subsection shall  
2536 apply only in cases where the decree of dissolution of marriage, legal  
2537 separation or annulment is entered on or after October 1, 1997, or  
2538 where the initial support orders in actions not claiming any such  
2539 decree are entered on or after October 1, 1997.

2540 Sec. 60. Subsection (c) of section 53a-167c of the general statutes is  
2541 repealed and the following is substituted in lieu thereof (*Effective July*  
2542 *1, 2013*):

2543 (c) In any prosecution under this section involving assault of a  
2544 health care employee, as defined in section 19a-490q, it shall be a  
2545 defense that the defendant is a person with a disability as described in  
2546 subdivision [(13), (15) or (20)] (30), (36) or (41) of section 46a-51, as  
2547 amended by this act, and the defendant's conduct was a clear and  
2548 direct manifestation of the disability.

2549 Sec. 61. Subsections (c) and (d) of section 46a-68 of the general  
2550 statutes are repealed and the following is substituted in lieu thereof  
2551 (*Effective July 1, 2013*):

2552 (c) Each state agency, department, board and commission that  
2553 employs two hundred fifty or more full-time employees shall file an

2554 affirmative action plan developed in accordance with subsection (a) of  
2555 this section, with the Commission on Human Rights and  
2556 Opportunities, semiannually, except that any state agency,  
2557 department, board or commission which has an affirmative action plan  
2558 approved by the [commission] board of commissioners may be  
2559 permitted to file its plan on an annual basis in a manner prescribed by  
2560 the [commission] board of commissioners and any state agency,  
2561 department, board or commission that employs twenty-five or more  
2562 employees but fewer than two hundred fifty full-time employees shall  
2563 file its affirmative action plan biennially, unless the [commission]  
2564 board of commissioners disapproves the most recent submission of the  
2565 plan, in which case the [commission] board of commissioners may  
2566 require the resubmission of such plan by a time chosen by the  
2567 [commission] board of commissioners, until the plan is approved. All  
2568 affirmative action plans shall be filed electronically, if practicable.

2569 (d) The [Commission on Human Rights and Opportunities] board of  
2570 commissioners shall review and formally approve, conditionally  
2571 approve or disapprove the content of such affirmative action plans  
2572 within ninety days of the submission of each plan to the commission. If  
2573 the commissioners, by a majority vote of those present and voting, fail  
2574 to approve, conditionally approve or disapprove a plan within such  
2575 period, the plan shall be deemed to be approved. Any plan that is filed  
2576 more than ninety days after the date such plan is due to be filed in  
2577 accordance with the schedule established pursuant to subsection (g) of  
2578 this section shall be deemed disapproved.

2579 Sec. 62. Subsection (g) of section 46a-68 of the general statutes is  
2580 repealed and the following is substituted in lieu thereof (*Effective July*  
2581 *1, 2013*):

2582 (g) The [Commission on Human Rights and Opportunities]  
2583 commission shall adopt regulations, in accordance with chapter 54, to  
2584 carry out the requirements of this section. The executive director shall  
2585 establish a schedule for semiannual, annual and biennial filing of

2586 plans.

2587 Sec. 63. Section 46a-68i of the general statutes is repealed and the  
2588 following is substituted in lieu thereof (*Effective July 1, 2013*):

2589 The commission or any contractor or subcontractor aggrieved by a  
2590 decision of the [hearing officer or human rights] referee following a  
2591 hearing held pursuant to subsection (c) of section 46a-56, as amended  
2592 by this act, shall have a right of appeal to the Superior Court as  
2593 provided for in section 4-183. Such appeal shall be privileged in order  
2594 of assignment of trial.

2595 Sec. 64. Subsection (b) of section 46a-82c of the general statutes is  
2596 repealed and the following is substituted in lieu thereof (*Effective July*  
2597 *1, 2013*):

2598 (b) The time frame contained in subsection [(b)] (c) of section 46a-83,  
2599 as amended by this act, to conduct a merit assessment review shall be  
2600 tolled if an answer is not timely received from the date the  
2601 respondent's answer is due pursuant to subsection [(a)] (b) of section  
2602 46a-83, as amended by this act, until the date the answer is actually  
2603 received by the commission.

2604 Sec. 65. Section 46a-83a of the general statutes is repealed and the  
2605 following is substituted in lieu thereof (*Effective July 1, 2013*):

2606 If (1) a complainant requests a release of jurisdiction pursuant to  
2607 subsection [(b)] (c) of section 46a-83, as amended by this act, (2) a  
2608 commission legal counsel denies reinstatement of a complaint  
2609 pursuant to subsection [(b)] (c) of said section, or (3) a complaint is  
2610 dismissed for failure to accept full relief pursuant to subsection [(c)] (d)  
2611 of said section, and the complainant does not request reconsideration  
2612 of such dismissal as provided in subsection [(f)] (g) of said section, the  
2613 executive director shall issue a release and the complainant may,  
2614 within ninety days of receipt of the release from the commission, bring  
2615 an action in accordance with sections 46a-100 and 46a-102 to 46a-104,

2616 inclusive, as amended by this act.

2617 Sec. 66. Sections 4a-60a, 46a-61, 46a-62, 46a-63, 46a-64b, 46a-65, 46a-  
 2618 81a to 46a-81o, inclusive, 46a-81q and 46a-82a to 46a-82d, inclusive, of  
 2619 the general statutes are repealed. (*Effective July 1, 2013*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	1-1f
Sec. 2	July 1, 2013	46a-51
Sec. 3	July 1, 2013	46a-52
Sec. 4	July 1, 2013	46a-54
Sec. 5	July 1, 2013	46a-56
Sec. 6	July 1, 2013	46a-57
Sec. 7	July 1, 2013	46a-58
Sec. 8	July 1, 2013	46a-59(a)
Sec. 9	July 1, 2013	New section
Sec. 10	July 1, 2013	46a-60(a)
Sec. 11	July 1, 2013	4a-60(a)
Sec. 12	July 1, 2013	4a-60(b)
Sec. 13	July 1, 2013	4a-60(d)
Sec. 14	July 1, 2013	4a-60g(a)(7)
Sec. 15	July 1, 2013	46a-64
Sec. 16	July 1, 2013	46a-64c
Sec. 17	July 1, 2013	46a-66(a)
Sec. 18	July 1, 2013	46a-67
Sec. 19	July 1, 2013	46a-68a
Sec. 20	July 1, 2013	46a-70(a)
Sec. 21	July 1, 2013	46a-70a
Sec. 22	July 1, 2013	46a-71(a)
Sec. 23	July 1, 2013	46a-72(b)
Sec. 24	July 1, 2013	46a-73(a)
Sec. 25	July 1, 2013	46a-75(a)
Sec. 26	July 1, 2013	46a-76(a)
Sec. 27	July 1, 2013	46a-77(c)
Sec. 28	July 1, 2013	46a-81p
Sec. 29	July 1, 2013	46a-82
Sec. 30	July 1, 2013	46a-82e

Sec. 31	July 1, 2013	46a-83
Sec. 32	July 1, 2013	46a-84
Sec. 33	July 1, 2013	46a-86
Sec. 34	July 1, 2013	46a-87
Sec. 35	July 1, 2013	46a-88
Sec. 36	July 1, 2013	46a-89
Sec. 37	July 1, 2013	46a-89a
Sec. 38	July 1, 2013	46a-90a
Sec. 39	July 1, 2013	46a-94
Sec. 40	July 1, 2013	46a-94a
Sec. 41	July 1, 2013	46a-95(a)
Sec. 42	July 1, 2013	46a-97
Sec. 43	July 1, 2013	46a-98
Sec. 44	July 1, 2013	46a-98a
Sec. 45	July 1, 2013	46a-99
Sec. 46	July 1, 2013	46a-100
Sec. 47	July 1, 2013	46a-101
Sec. 48	July 1, 2013	46a-102
Sec. 49	July 1, 2013	46a-103
Sec. 50	July 1, 2013	53-37
Sec. 51	July 1, 2013	32-235(b)
Sec. 52	July 1, 2013	45a-726a
Sec. 53	July 1, 2013	46a-68b
Sec. 54	July 1, 2013	1-1g(b)
Sec. 55	July 1, 2013	17a-210d(a)
Sec. 56	July 1, 2013	47a-23c(a)(1)
Sec. 57	July 1, 2013	5-248a(b)
Sec. 58	July 1, 2013	19a-490s
Sec. 59	July 1, 2013	46b-84(c)
Sec. 60	July 1, 2013	53a-167c(c)
Sec. 61	July 1, 2013	46a-68(c) and (d)
Sec. 62	July 1, 2013	46a-68(g)
Sec. 63	July 1, 2013	46a-68i
Sec. 64	July 1, 2013	46a-82c(b)
Sec. 65	July 1, 2013	46a-83a
Sec. 66	July 1, 2013	Repealer section